

## PART 70

# PERMIT TO OPERATE

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

**Operating Permit Number:** OP2018-028  
**Effective Date:** 5/7/2018  
**Installation ID:** 007-0012  
**Project Number:** 2017-09-038  
**Expiration Date:** 5/5/2023

**Installation Name and Address**

Ameren Missouri Mexico Combustion  
Turbine  
Route JJ off US 54  
Mexico, MO 63103  
Audrain County

**Parent Company's Name and Address**

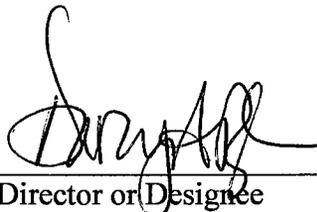
Ameren Missouri  
1901 Chouteau Avenue  
St. Louis MO, 63103

**Installation Description:**

This facility consists of one (1) remotely operated, unmanned simple cycle combustion turbine for electric power generation, a 340,000 gallon distillate fuel oil storage tank and three (3) small interconnected lube oil tanks with a capacity of approximately 2,750 gallons. The design rating of the turbine is 891 MMBtu/hr and it is fueled solely by No. 2 fuel oil. The facility is a major source for all criteria pollutants except for HAPs.



Prepared by  
Adam Brooks E.I.T.  
Operating Permit Unit



Director or Designee  
Department of Natural Resources

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## I. Installation Equipment Listing

### EMISSION UNITS WITH LIMITATIONS

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

<u>Emission Unit #</u>	<u>Description of Emission Unit</u>
CT-1	891 MMBtu/hr Diesel Oil-Fired Combustion Turbine

### EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS

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

<u>Description of Emission Source</u>
340,000 gallon fuel oil storage tank
2000 gallon main lube oil tank (interconnected)
500 gallon lube oil surge tank (interconnected)
250 gallon lube oil auxiliary surge tank (interconnected)

## **II. Plant Wide Emission Limitations**

The installation shall comply with each of the following emission limitations. Consult the appropriate sections in the Code of Federal Regulations (CFR) and Code of State Regulations (CSR) for the full text of the applicable requirements. All citations, unless otherwise noted, are to the regulations in effect as of the date that this permit is issued. The plant wide conditions apply to all emission units at this installation. All emission units are listed in Section I under Emission Units with Limitations and Emission Units without Limitations.

None.

### III. Emission Unit Specific Emission Limitations

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

<b>PERMIT CONDITION 1</b>		
10 CSR 10-6.261 Control of Sulfur Dioxide Emissions		
<i>Note: As of issuance of this permit, 10 CSR 10-6.261 is a State Only requirement<sup>1</sup></i>		
<b>Combustion Turbine</b>		
Emission Unit	Description	Manufacturer/Model #
CT-1	Simple Cycle Combustion Turbine; Design rating: 891 MMBtu/hr; Fuel Type: No. 2 Fuel Oil; Construction Date: Spring 1977	General Electric MS-7001

**Operational Limitation**

Fuel shall not contain more than 8,812 parts per million (ppm) of sulfur for distillate fuel. [10 CSR 10-6.261(3)(C)]

**Monitoring/ Recordkeeping**

- 1) The permittee shall determine compliance using fuel delivery records. [10 CSR 10-6.261(3)(E)3.]
- 2) The permittee must maintain a record of fuel deliveries. [10 CSR 10-6.261(4)(A)3.]
- 3) The permittee must maintain the fuel supplier certification information to certify all fuel deliveries. Bills of lading and/or other fuel deliver documentation containing the following information for all fuel purchases or deliveries are deemed acceptable to comply with the requirements of this rule: [10 CSR 10-6.261(4)(C)]
  - a) The name, address, and contact information of the fuel supplier; [10 CSR 10-6.261(4)(C)1.]
  - b) The type of fuel; [10 CSR 10-6.261(4)(C)2.]
  - c) The sulfur content or maximum sulfur content expressed in percent sulfur by weight or in ppm sulfur; and [10 CSR 10-6.261(4)(C)4.]
  - d) The heating value of the fuel. [10 CSR 10-6.261(4)(C)5.]
- 4) The permittee shall maintain records for a minimum of five (5) years on-site. [10 CSR 10-6.261(4)(F)]
- 5) The permittee shall make all records available within five (5) business days upon written or electronic to Missouri Department of Natural Resources’ personnel upon request. [10 CSR 10-6.261(4)(F)]
- 6) The permittee shall furnish the Missouri Department of Natural Resources all data necessary to determine compliance status. [10 CSR 10-6.261(4)(G)]

<sup>1</sup> Missouri’s SIP has not adopted this regulation; therefore, this regulation is a state only requirement. Upon adoption into Missouri’s SIP this regulation will be both a state and federal requirement. No action is required on the part of the permittee upon the adoption of 10 CSR 10-6.261 into the Missouri SIP.

**Reporting**

- 1) The permittee shall report any excess emissions other than startup, shutdown, and malfunction excess emissions already required to be reported under 10 CSR 10-6.050 to the director for each calendar quarter within thirty (30) days following the end of the quarter. In all cases, the notification must be a written report and must include, at a minimum, the following: [10 CSR 10-6.261(4)(A)1.]
  - a) Name and location of source;
  - b) Name and telephone number of person responsible for the source;
  - c) Identity and description of the equipment involved;
  - d) Time and duration of the period of SO<sub>2</sub> excess emissions;
  - e) Type of activity;
  - f) Estimate of the magnitude of the SO<sub>2</sub> excess emissions expressed in the units of the applicable emission control regulation and the operating data and calculations used in estimating the magnitude;
  - g) Measures taken to mitigate the extent and duration of the SO<sub>2</sub> excess emissions; and
  - h) Measures taken to remedy the situation which caused the SO<sub>2</sub> excess emissions and the measures taken or planned to prevent the recurrence of these situations
- 2) The permittee shall report to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), no later than ten days after any exceedance of any of the terms imposed by this regulation, or any malfunction that could possibly cause an exceedance of this regulation.
- 3) The permittee shall report any deviations from the emission limitations, monitoring, recordkeeping, and reporting requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit.

**PERMIT CONDITION 2**

10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds

*Note: As of issuance of this permit, 10 CSR 10-6.260 is a Federal Only requirement<sup>2</sup>*

<b>Combustion Turbine</b>		
<b>Emission Unit</b>	<b>Description</b>	<b>Manufacturer/Model #</b>
CT-1	Simple Cycle Combustion Turbine; Design rating: 891 MMBtu/hr; Fuel Type: No. 2 Fuel Oil; Construction Date: Spring 1977	General Electric MS-7001

**Emission Limitations**

- 1) Emissions shall not contain more than five-hundred parts per million by volume (500 ppm<sub>v</sub>) 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 period.

**Operational Limitation/Equipment Specifications**

The emission unit shall be limited to burning No. 2 fuel oil.

**Monitoring/ Recordkeeping**

- 1) The permittee shall determine compliance using fuel delivery records.
- 2) The permittee must maintain a record of fuel deliveries.
- 3) The permittee must maintain the fuel supplier certification information to certify all fuel deliveries. Bills of lading and/or other fuel deliver documentation containing the following information for all fuel purchases or deliveries are deemed acceptable to comply with the requirements of this rule:
  - a) The name, address, and contact information of the fuel supplier;
  - b) The type of fuel;
  - c) The sulfur content or maximum sulfur content expressed in percent sulfur by weight or in ppm sulfur; and
  - d) The heating value of the fuel.
- 4) The permittee shall maintain records for a minimum of five (5) years on-site.
- 5) The permittee shall make all records available within five (5) business days upon written or electronic to Missouri Department of Natural Resources' personnel upon request.
- 6) The permittee shall furnish the Missouri Department of Natural Resources all data necessary to determine compliance status.

<sup>2</sup> This regulation was rescinded from Missouri Code of State Regulations on November 30, 2015 but it remains in Missouri's SIP and thus still remains an applicable federal regulation. Upon adoption of 10 CSR 10-6.261 into Missouri's SIP, 10 CSR 10-6.260 will be removed from the SIP and thus this rule will no longer be applicable to the installation. No action is required on the part of the permittee to remove this permit condition from this operating permit upon the removal of 10 CSR 10-6.260 from the Missouri SIP.

**Reporting**

- 1) The permittee shall report to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), no later than ten days after any exceedance of any of the terms imposed by this regulation, or any malfunction that could possibly cause an exceedance of this regulation.
- 2) The permittee shall report any deviations from the emission limitations, monitoring, recordkeeping, and reporting requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit.

**PERMIT CONDITION 3**

10 CSR 10-6.362 Clean Air Interstate Rule Annual NO<sub>x</sub> Trading Program  
10 CSR 10-6.364 Clean Air Interstate Rule Seasonal NO<sub>x</sub> Trading Program  
10 CSR 10-6.366 Clean Air Interstate Rule SO<sub>x</sub> Trading Program

<b>Combustion Turbine</b>		
<b>Emission Unit</b>	<b>Description</b>	<b>Manufacturer/Model #</b>
CT-1	Simple Cycle Combustion Turbine; Design rating: 891 MMBtu/hr; Fuel Type: No. 2 Fuel Oil; Construction Date: Spring 1977	General Electric MS-7001

**Emission Limitation**

The permittee shall obtain a CAIR<sup>3</sup> Source Permit for the combustion turbine generator CT-1.

A CAIR Permit is being issued to the permittee in conjunction with this Title V permit (See Attachment D).

**Monitoring/Recordkeeping**

The permittee shall retain the most current CAIR permit issued to this installation on-site and shall immediately make such permit available to any Missouri Department of Natural Resources' personnel upon request.

**Reporting**

The permittee shall report any deviations of the monitoring/recordkeeping requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit.

<sup>3</sup> The Clean Air Interstate Rule (CAIR) has been replaced by the Cross State Air Pollution Rule (CSAPR), however a CAIR Permit is being issued to this facility because the CAIR regulations have not been removed from the Missouri State Implementation Plan (SIP) at this time. The permittee is not required to hold CAIR allowances and therefore no violation of CAIR is possible. Once the CAIR regulations are removed from the SIP and replaced with CSAPR, this permit condition will expire and the limitation thereof will no longer apply to the installation. No action on the part of the permittee is required to remove this permit condition from the operating permit.

**PERMIT CONDITION 4**

40 CFR Parts 70 and 97 Cross State Air Pollution Rule  
 10 CSR 10-6.372 Cross-State Air Pollution Rule Annual NO<sub>x</sub> Trading Allowance Allocations  
 10 CSR 10-6.374 Cross-State Air Pollution Rule Ozone Season NO<sub>x</sub> Trading Allowance Allocations  
 10 CSR 10-6.376 Cross-State Air Pollution Rule Annual SO<sub>2</sub> Trading Allowance Allocations

Combustion Turbine		
Emission Unit	Description	Manufacturer/Model #
CT-1	Simple Cycle Combustion Turbine; Design rating: 891 MMBtu/hr; Fuel Type: No. 2 Fuel Oil; Construction Date: Spring 1977	General Electric MS-7001

The TR subject units, and the unit-specific monitoring provisions, at this source are identified in the following table. These units are subject to the requirements for the TR NO<sub>x</sub> Annual Trading Program, TR NO<sub>x</sub> Ozone Season Group 2 Trading Program, and TR SO<sub>2</sub> Group 1 Trading Program.

Parameter	Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO <sub>2</sub> monitoring) and 40 CFR part 75, subpart H (for NO <sub>x</sub> monitoring)	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D	Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E	Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19	EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E
SO <sub>2</sub>	-----	-----	-----	CT-1	-----
NO <sub>x</sub>	-----	-----	-----	CT-1	-----
Heat Input	-----	-----	-----	CT-1	-----

- 1) The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435 (CSAPR NO<sub>x</sub> Annual Trading Program), 97.830 through 97.835 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program), and 97.630 through 97.635 (CSAPR SO<sub>2</sub> Group 1 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable CSAPR trading programs.

- 2) The permittee shall submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA's website at <http://www.epa.gov/airmarkets/emissions/monitoringplans.html>.
- 3) If the permittee wants to use an alternative monitoring system, the permittee shall submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR Part 75, Subpart E and 40 CFR 75.66 and 97.435 (CSAPR NO<sub>x</sub> Annual Trading Program), 97.835 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program), and/or 97.635 (CSAPR SO<sub>2</sub> Group 1 Trading Program). The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at <http://www.epa.gov/airmarkets/emissions/petitions.html>.
- 4) If the permittee wants to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR 97.430 through 97.434 (CSAPR NO<sub>x</sub> Annual Trading Program), 97.830 through 97.834 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program), and/or 97.630 through 97.634 (CSAPR SO<sub>2</sub> Group 1 Trading Program), the permittee shall submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and 97.435 (CSAPR NO<sub>x</sub> Annual Trading Program), 97.835 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program), and/or 97.635 (CSAPR SO<sub>2</sub> Group 1 Trading Program). The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on the EPA's website at <http://www.epa.gov/airmarkets/emissions/petitions.html>.
- 5) The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR 97.430 through 97.434 (CSAPR NO<sub>x</sub> Annual Trading Program), 97.830 through 97.834 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program), and 97.630 through 97.634 (CSAPR SO<sub>2</sub> Group 1 Trading Program), and therefore minor permit modification procedures, in accordance with §70.7(e)(2)(i)(B), may be used to add or change this unit's monitoring system description.

**CSAPR NO<sub>x</sub> Annual Trading Program Requirements:**

- 1) *Designated representative requirements.* The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.413 through 97.418. [§97.406(a)]
- 2) *Emissions monitoring, reporting, and recordkeeping requirements.* [§97.406(b)]
  - a) The permittee, and the designated representative, of each CSAPR NO<sub>x</sub> Annual source and each CSAPR NO<sub>x</sub> Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.431 (initial monitoring system certification and recertification procedures), §97.432 (monitoring system out-of-control periods), §97.433 (notifications concerning monitoring), §97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements). [§97.406(b)(1)]
  - b) The emissions data determined in accordance with §§97.430 through 97.435 shall be used to calculate allocations of CSAPR NO<sub>x</sub> Annual allowances under §97.411(a)(2) and (b) and §97.412 and to determine compliance with the CSAPR NO<sub>x</sub> Annual emissions limitation and assurance provisions under §97.406(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.406(b)(2)]

- 3) *NO<sub>x</sub> emissions requirements.* [§97.406(c)]
- a) *CSAPR NO<sub>x</sub> Annual emissions limitation.* [§97.406(c)(1)]
- i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR NO<sub>x</sub> Annual allowances available for deduction for such control period under §97.424(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for such control period from all CSAPR NO<sub>x</sub> Annual units at the source. [§97.406(c)(1)(i)]
- ii) If total NO<sub>x</sub> emissions during a control period in a given year from the CSAPR NO<sub>x</sub> Annual units at a CSAPR NO<sub>x</sub> Annual source are in excess of the CSAPR NO<sub>x</sub> Annual emissions limitation set forth in §97.406(c)(1)(i), then: [§97.406(c)(1)(ii)]
- (1) The permittee shall hold the CSAPR NO<sub>x</sub> Annual allowances required for deduction under §97.424(d); and [§97.406(c)(1)(ii)(A)]
- (2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act. [§97.406(c)(1)(ii)(B)]
- b) *CSAPR NO<sub>x</sub> Annual assurance provisions.* [§97.406(c)(2)]
- i) If total NO<sub>x</sub> emissions during a control period in a given year from all CSAPR NO<sub>x</sub> Annual units at CSAPR NO<sub>x</sub> Annual sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO<sub>x</sub> emissions during such control period exceeds the common designated representative's assurance level for Missouri and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO<sub>x</sub> Annual allowances available for deduction for such control period under §97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.425(b), of multiplying— [§97.406(c)(2)(i)]
- (1) The quotient of the amount by which the common designated representative's share of such NO<sub>x</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative's share of such NO<sub>x</sub> emissions exceeds the respective common designated representative's assurance level; and [§97.406(c)(2)(i)(A)]
- (2) The amount by which total NO<sub>x</sub> emissions from all CSAPR NO<sub>x</sub> Annual units at CSAPR NO<sub>x</sub> Annual sources in Missouri for such control period exceed the state assurance level. [§97.406(c)(2)(i)(B)]
- ii) The permittee shall hold the CSAPR NO<sub>x</sub> Annual allowances required under §97.406(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.406(c)(2)(ii)]
- iii) Total NO<sub>x</sub> emissions from all CSAPR NO<sub>x</sub> Annual units at CSAPR NO<sub>x</sub> Annual sources in Missouri during a control period in a given year exceed the state assurance level if such total NO<sub>x</sub> emissions exceed the sum, for such control period, of Missouri NO<sub>x</sub> Annual trading budget under §97.410(a) and the state's variability limit under §97.410(b). [§97.406(c)(2)(iii)]

- iv) It shall not be a violation of 40 CFR Part 97, Subpart AAAAA or of the Clean Air Act if total NO<sub>x</sub> emissions from all CSAPR NO<sub>x</sub> Annual units at CSAPR NO<sub>x</sub> Annual sources in Missouri during a control period exceed the state assurance level or if a common designated representative's share of total NO<sub>x</sub> emissions from the CSAPR NO<sub>x</sub> Annual units at CSAPR NO<sub>x</sub> Annual sources in Missouri during a control period exceeds the common designated representative's assurance level. [§97.406(c)(2)(iv)]
- v) To the extent the permittee fails to hold CSAPR NO<sub>x</sub> Annual allowances for a control period in a given year in accordance with §97.406(c)(2)(i) through (iii), [§97.406(c)(2)(v)]
  - (1) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and [§97.406(c)(2)(v)(A)]
  - (2) Each CSAPR NO<sub>x</sub> Annual allowance that the permittee fails to hold for such control period in accordance with §97.406(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act. [§97.406(c)(2)(v)(B)]
- c) *Compliance periods.* [§97.406(c)(3)]
  - i) A CSAPR NO<sub>x</sub> Annual unit shall be subject to the requirements under §97.406(c)(1) for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under §97.430(b) and for each control period thereafter. [§97.406(c)(3)(i)]
  - ii) A CSAPR NO<sub>x</sub> Annual unit shall be subject to the requirements under §97.406(c)(2) for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.430(b) and for each control period thereafter. [§97.406(c)(3)(ii)]
- d) *Vintage of CSAPR NO<sub>x</sub> Annual allowances held for compliance.* [§97.406(c)(4)]
  - i) A CSAPR NO<sub>x</sub> Annual allowance held for compliance with the requirements under §97.406(c)(1)(i) for a control period in a given year must be a CSAPR NO<sub>x</sub> Annual allowance that was allocated or auctioned for such control period or a control period in a prior year. [§97.406(c)(4)(i)]
  - ii) A CSAPR NO<sub>x</sub> Annual allowance held for compliance with the requirements under §97.406(c)(1)(ii)(A) and (2)(i) through (iii) for a control period in a given year must be a CSAPR NO<sub>x</sub> Annual allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year. [§97.406(c)(4)(ii)]
- e) *Allowance Management System requirements.* Each CSAPR NO<sub>x</sub> Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart AAAAA. [§97.406(c)(5)]
- f) *Limited authorization.* A CSAPR NO<sub>x</sub> Annual allowance is a limited authorization to emit one ton of NO<sub>x</sub> during the control period in one year. Such authorization is limited in its use and duration as follows: [§97.406(c)(6)]
  - i) Such authorization shall only be used in accordance with the CSAPR NO<sub>x</sub> Annual Trading Program; and [§97.406(c)(6)(i)]
  - ii) Notwithstanding any other provision of 40 CFR Part 97, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.406(c)(6)(ii)]
- g) *Property right.* A CSAPR NO<sub>x</sub> Annual allowance does not constitute a property right. [§97.406(c)(7)]

- 4) *Title V permit revision requirements.* [§97.406(d)]
- a) No Title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO<sub>x</sub> Annual allowances in accordance with 40 CFR Part 97, Subpart AAAAA. [§97.406(d)(1)]
  - b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to §§97.430 through 97.435, and the requirements for a CEMS (pursuant to 40 CFR Part 75, Subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to §75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this Title V permit using minor permit modification procedures in accordance with this paragraph and §70.7(e)(2)(i)(B). [§97.406(d)(2)]
- 5) *Additional recordkeeping and reporting requirements.* [§97.406(e)]
- a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the Administrator. [§97.406(e)(1)]
    - i) The certificate of representation under §97.416 for the designated representative for the source and each CSAPR NO<sub>x</sub> Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.416 changing the designated representative. [§97.406(e)(1)(i)]
    - ii) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart AAAAA. [§97.406(e)(1)(ii)]
    - iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO<sub>x</sub> Annual Trading Program. [§97.406(e)(1)(iii)]
  - b) The designated representative of a CSAPR NO<sub>x</sub> Annual source and each CSAPR NO<sub>x</sub> Annual unit at the source shall make all submissions required under the CSAPR NO<sub>x</sub> Annual Trading Program, except as provided in §97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [§97.406(e)(2)]
- 6) *Liability.* [§97.406(f)]
- a) Any provision of the CSAPR NO<sub>x</sub> Annual Trading Program that applies to a CSAPR NO<sub>x</sub> Annual source or the designated representative of a CSAPR NO<sub>x</sub> Annual source shall also apply to the permittee. [§97.406(f)(1)]
  - b) Any provision of the CSAPR NO<sub>x</sub> Annual Trading Program that applies to a CSAPR NO<sub>x</sub> Annual unit or the designated representative of a CSAPR NO<sub>x</sub> Annual unit shall also apply to the permittee. [§97.406(f)(2)]
- 7) *Effect on other authorities.* No provision of the CSAPR NO<sub>x</sub> Annual Trading Program or exemption under §97.405 shall be construed as exempting or excluding the permittee, and the designated representative, from compliance with any other provision of the Missouri's state implementation plan, a federally enforceable permit, or the Clean Air Act. [§97.406(g)]

**CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program Requirements:**

- 1) *Designated representative requirements.* The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.813 through 97.818. [§97.806(a)]
- 2) *Emissions monitoring, reporting, and recordkeeping requirements.* [§97.806(b)]
  - a) The permittee, and the designated representative, of each CSAPR NO<sub>x</sub> Ozone Season Group 2 source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §97.830 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.831 (initial monitoring system certification and recertification procedures), §97.832 (monitoring system out-of-control periods), §97.833 (notifications concerning monitoring), §97.834 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §97.835 (petitions for alternatives to monitoring, recordkeeping, and reporting requirements). [§97.806(b)(1)]
  - b) The emissions data determined in accordance with §§97.830 through 97.835 shall be used to calculate allocations of CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances under §§97.811(a)(2) and (b) and §97.812 and to determine compliance with the CSAPR NO<sub>x</sub> Ozone Season Group 2 emissions limitation and assurance provisions under §97.806(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.830 through 97.835 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.806(b)(2)]
- 3) *NO<sub>x</sub> emissions requirements—* [§97.806(c)]
  - a) *CSAPR NO<sub>x</sub> Ozone Season Group 2 emissions limitation.* [§97.806(c)(1)]
    - i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances available for deduction for such control period under §97.824(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for such control period from all CSAPR NO<sub>x</sub> Ozone Season Group 2 units at the source. [§97.806(c)(1)(i)]
    - ii) If total NO<sub>x</sub> emissions during a control period in a given year from the CSAPR NO<sub>x</sub> Ozone Season Group 2 units at a CSAPR NO<sub>x</sub> Ozone Season Group 2 source are in excess of the CSAPR NO<sub>x</sub> Ozone Season Group 2 emissions limitation set forth in §97.806(c)(1)(i), then: [§97.806(c)(1)(ii)]
      - (1) The permittee shall hold the CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances required for deduction under §97.824(d); and [§97.806(c)(1)(ii)(A)]
      - (2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act. [§97.806(c)(1)(ii)(B)]
  - b) *CSAPR NO<sub>x</sub> Ozone Season Group 2 assurance provisions.* [§97.806(c)(2)]
    - i) If total NO<sub>x</sub> emissions during a control period in a given year from all base CSAPR NO<sub>x</sub> Ozone Season Group 2 units at base CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO<sub>x</sub>

- emissions during such control period exceeds the common designated representative's assurance level for Missouri and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances available for deduction for such control period under §97.825(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.825(b), of multiplying— [§97.806(c)(2)(i)]
- (1) The quotient of the amount by which the common designated representative's share of such NO<sub>x</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative's share of such NO<sub>x</sub> emissions exceeds the respective common designated representative's assurance level; and [§97.806(c)(2)(i)(A)]
  - (2) The amount by which total NO<sub>x</sub> emissions from all base CSAPR NO<sub>x</sub> Ozone Season Group 2 units at base CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in Missouri for such control period exceed the state assurance level. [§97.806(c)(2)(i)(B)]
- ii) The permittee shall hold the CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances required under §97.806(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.806(c)(2)(ii)]
  - iii) Total NO<sub>x</sub> emissions from all base CSAPR NO<sub>x</sub> Ozone Season Group 2 units at base CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in Missouri during a control period in a given year exceed the state assurance level if such total NO<sub>x</sub> emissions exceed the sum, for such control period, of the Missouri NO<sub>x</sub> Ozone Season Group 2 trading budget under §97.810(a) and the state's variability limit under §97.810(b). [§97.806(c)(2)(iii)]
  - iv) It shall not be a violation of 40 CFR Part 97, Subpart EEEEE or of the Clean Air Act if total NO<sub>x</sub> emissions from all base CSAPR NO<sub>x</sub> Ozone Season Group 2 units at base CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in Missouri during a control period exceed the state assurance level or if a common designated representative's share of total NO<sub>x</sub> emissions from the base CSAPR NO<sub>x</sub> Ozone Season Group 2 units at base CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in Missouri during a control period exceeds the common designated representative's assurance level. [§97.806(c)(2)(iv)]
  - v) To the extent the permittee fails to hold CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances for a control period in a given year in accordance with §97.806(c)(2)(i) through (iii), [§97.806(c)(2)(v)]
    - (1) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and [§97.806(c)(2)(v)(A)]
    - (2) Each CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance that the permittee fails to hold for such control period in accordance with §97.806(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act. [§97.806(c)(2)(v)(B)]
- c) *Compliance periods.* [§97.806(c)(3)]
- i) A CSAPR NO<sub>x</sub> Ozone Season Group 2 unit shall be subject to the requirements under §97.806(c)(1) for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.830(b) and for each control period thereafter. [§97.806(c)(3)(i)]
  - ii) A base CSAPR NO<sub>x</sub> Ozone Season Group 2 unit shall be subject to the requirements under §97.806(c)(2) for the control period starting on the later of May 1, 2017 or the deadline for

- meeting the unit's monitor certification requirements under §97.830(b) and for each control period thereafter. [§97.806(c)(3)(ii)]
- d) *Vintage of CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances held for compliance.* [§97.806(c)(4)]
- i) A CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance held for compliance with the requirements under §97.806(c)(1)(i) for a control period in a given year must be a CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance that was allocated or auctioned for such control period or a control period in a prior year. [§97.806(c)(4)(i)]
- ii) A CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance held for compliance with the requirements under §97.806(c)(1)(ii)(A) and (c)(2)(i) through (iii) for a control period in a given year must be a CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year. [§97.806(c)(4)(ii)]
- e) *Allowance Management System requirements.* Each CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart EEEEE. [§97.806(c)(5)]
- f) *Limited authorization.* A CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance is a limited authorization to emit one ton of NO<sub>x</sub> during the control period in one year. Such authorization is limited in its use and duration as follows: [§97.806(c)(6)]
- i) Such authorization shall only be used in accordance with the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program; and [§97.806(c)(6)(i)]
- ii) Notwithstanding any other provision of 40 CFR Part 97, Subpart EEEEE, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.806(c)(6)(ii)]
- g) *Property right.* A CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance does not constitute a property right. [§97.806(c)(7)]
- 4) *Title V permit requirements.* [§97.806(d)]
- a) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances in accordance with 40 CFR Part 97, Subpart EEEEE. [§97.806(d)(1)]
- b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to §§97.830 through 97.835, and the requirements for a CEMS (pursuant to 40 CFR Part 75, Subpart H), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to §75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this Title V permit using minor permit modification procedures in accordance with this paragraph and §70.7(e)(2)(i)(B). [§97.806(d)(2)]
- 5) *Additional recordkeeping and reporting requirements.* [§97.806(e)]
- a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the Administrator. [§97.806(e)(1)]
- i) The certificate of representation under §97.816 for the designated representative for the source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that

the certificate and documents shall be retained on site at the source beyond such five-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.816 changing the designated representative. [§97.806(e)(1)(i)]

- ii) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart EEEEE. [§97.806(e)(1)(ii)]
- iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program. [§97.806(e)(1)(iii)]
- b) The designated representative of a CSAPR NO<sub>x</sub> Ozone Season Group 2 source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program, except as provided in §97.818. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [§97.806(e)(2)]
- 6) *Liability.* [§97.806(f)]
  - a) Any provision of the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program that applies to a CSAPR NO<sub>x</sub> Ozone Season Group 2 source or the designated representative of a CSAPR NO<sub>x</sub> Ozone Season Group 2 source shall also apply to the permittee. [§97.806(f)(1)]
  - b) Any provision of the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program that applies to a CSAPR NO<sub>x</sub> Ozone Season Group 2 unit or the designated representative of a CSAPR NO<sub>x</sub> Ozone Season Group 2 unit shall also apply to the permittee. [§97.806(f)(2)]
- 7) *Effect on other authorities.* No provision of the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program or exemption under §97.805 shall be construed as exempting or excluding the permittee, and the designated representative, of a CSAPR NO<sub>x</sub> Ozone Season Group 2 source or CSAPR NO<sub>x</sub> Ozone Season Group 2 unit from compliance with any other provision of Missouri's approved State implementation plan, a federally enforceable permit, or the Clean Air Act. [§97.806(g)]

**CSAPR SO<sub>2</sub> Group 1 Trading Program Requirements:**

- 1) Designated representative requirements. The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.613 through 97.618. [§97.606(a)]
- 2) Emissions monitoring, reporting, and recordkeeping requirements. [§97.606(b)]
  - a) The permittee, and the designated representative, of each CSAPR SO<sub>2</sub> Group 1 source and each CSAPR SO<sub>2</sub> Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §97.630 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.631 (initial monitoring system certification and recertification procedures), §97.632 (monitoring system out-of-control periods), §97.633 (notifications concerning monitoring), §97.634 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §97.635 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements). [§97.606(b)(1)]
  - b) The emissions data determined in accordance with §§97.630 through 97.635 shall be used to calculate allocations of CSAPR SO<sub>2</sub> Group 1 allowances under §97.611(a)(2) and (b) and §97.612 and to determine compliance with the CSAPR SO<sub>2</sub> Group 1 emissions limitation and assurance provisions under §97.606(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and

determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.630 through 97.635 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.606(b)(2)]

3) SO<sub>2</sub> emissions requirements. [§97.606(c)]

a) *CSAPR SO<sub>2</sub> Group 1 emissions limitation.* [§97.606(c)(1)]

i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under §97.624(a) in an amount not less than the tons of total SO<sub>2</sub> emissions for such control period from all CSAPR SO<sub>2</sub> Group 1 units at the source. [§97.606(c)(1)(i)]

ii) If total SO<sub>2</sub> emissions during a control period in a given year from the CSAPR SO<sub>2</sub> Group 1 units at a CSAPR SO<sub>2</sub> Group 1 source are in excess of the CSAPR SO<sub>2</sub> Group 1 emissions limitation set forth in §97.606(c)(1)(i), then: [§97.606(c)(1)(ii)]

(1) The permittee shall hold the CSAPR SO<sub>2</sub> Group 1 allowances required for deduction under §97.624(d); and [§97.606(c)(1)(ii)(A)]

(2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR Part 97, Subpart CCCCC and the Clean Air Act. [§97.606(c)(1)(ii)(B)]

b) *CSAPR SO<sub>2</sub> Group 1 assurance provisions.* [§97.606(c)(2)]

i) If total SO<sub>2</sub> emissions during a control period in a given year from all CSAPR SO<sub>2</sub> Group 1 units at CSAPR SO<sub>2</sub> Group 1 sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO<sub>2</sub> emissions during such control period exceeds the common designated representative's assurance level for Missouri and such control period, shall hold (in the assurance account established for the permittee of such group) CSAPR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under §97.625(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.625(b), of multiplying— [§97.606(c)(2)(i)]

(1) The quotient of the amount by which the common designated representative's share of such SO<sub>2</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative's share of such SO<sub>2</sub> emissions exceeds the respective common designated representative's assurance level; and [§97.606(c)(2)(i)(A)]

(2) The amount by which total SO<sub>2</sub> emissions from all CSAPR SO<sub>2</sub> Group 1 units at CSAPR SO<sub>2</sub> Group 1 sources in Missouri for such control period exceed the state assurance level. [§97.606(c)(2)(i)(B)]

ii) The permittee shall hold the CSAPR SO<sub>2</sub> Group 1 allowances required under §97.606(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.606(c)(2)(ii)]

iii) Total SO<sub>2</sub> emissions from all CSAPR SO<sub>2</sub> Group 1 units at CSAPR SO<sub>2</sub> Group 1 sources in Missouri during a control period in a given year exceed the state assurance level if such total

- SO<sub>2</sub> emissions exceed the sum, for such control period, of the Missouri SO<sub>2</sub> Group 1 trading budget under §97.610(a) and the state's variability limit under §97.610(b).  
[§97.606(c)(2)(iii)]
- iv) It shall not be a violation of 40 CFR Part 97, Subpart CCCCC or of the Clean Air Act if total SO<sub>2</sub> emissions from all CSAPR SO<sub>2</sub> Group 1 units at CSAPR SO<sub>2</sub> Group 1 sources in Missouri during a control period exceed the state assurance level or if a common designated representative's share of total SO<sub>2</sub> emissions from the CSAPR SO<sub>2</sub> Group 1 units at CSAPR SO<sub>2</sub> Group 1 sources during a control period exceeds the common designated representative's assurance level. [§97.606(c)(2)(iv)]
  - v) To the extent the permittee fails to hold CSAPR SO<sub>2</sub> Group 1 allowances for a control period in a given year in accordance with §97.606(c)(2)(i) through (iii), [§97.606(c)(2)(v)]
    - (1) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and [§97.606(c)(2)(v)(A)]
    - (2) Each CSAPR SO<sub>2</sub> Group 1 allowance that the permittee fails to hold for such control period in accordance with §97.606(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart CCCCC and the Clean Air Act. [§97.606(c)(2)(v)(B)]
- c) *Compliance periods.* [§97.606(c)(3)]
- i) A CSAPR SO<sub>2</sub> Group 1 unit shall be subject to the requirements under §97.606(c)(1) for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under §97.630(b) and for each control period thereafter. [§97.606(c)(3)(i)]
  - ii) A CSAPR SO<sub>2</sub> Group 1 unit shall be subject to the requirements under §97.606(c)(2) for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.630(b) and for each control period thereafter. [§97.606(c)(3)(ii)]
- d) *Vintage of CSAPR SO<sub>2</sub> Group 1 allowances held for compliance.* [§97.606(c)(4)]
- i) A CSAPR SO<sub>2</sub> Group 1 allowance held for compliance with the requirements under §97.606(c)(1)(i) for a control period in a given year must be a CSAPR SO<sub>2</sub> Group 1 allowance that was allocated or auctioned for such control period or a control period in a prior year. [§97.606(c)(4)(i)]
  - ii) A CSAPR SO<sub>2</sub> Group 1 allowance held for compliance with the requirements under §97.606(c)(1)(ii)(A) and (2)(i) through (iii) for a control period in a given year must be a CSAPR SO<sub>2</sub> Group 1 allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year. [§97.606(c)(4)(ii)]
- e) *Allowance Management System requirements.* Each CSAPR SO<sub>2</sub> Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart CCCCC. [§97.606(c)(5)]
- f) *Limited authorization.* A CSAPR SO<sub>2</sub> Group 1 allowance is a limited authorization to emit one ton of SO<sub>2</sub> during the control period in one year. Such authorization is limited in its use and duration as follows: [§97.606(c)(6)]
- i) Such authorization shall only be used in accordance with the CSAPR SO<sub>2</sub> Group 1 Trading Program; and [§97.606(c)(6)(i)]
  - ii) Notwithstanding any other provision of 40 CFR Part 97, Subpart CCCCC, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent

the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.606(c)(6)(ii)]

- g) *Property right.* A CSAPR SO<sub>2</sub> Group 1 allowance does not constitute a property right. [§97.606(c)(7)]
- 4) *Title V permit revision requirements.* [§97.606(d)]
  - a) No Title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO<sub>2</sub> Group 1 allowances in accordance with 40 CFR Part 97, Subpart CCCCC. [§97.606(d)(1)]
  - b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to §§97.630 through 97.635, and the requirements for a CEMS (pursuant to 40 CFR Part 75, Subpart B), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to §75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with this paragraph and §70.7(e)(2)(i)(B). [§97.606(d)(2)]
- 5) *Additional recordkeeping and reporting requirements.* [§97.606(e)]
  - a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the Administrator. [§97.606(e)(1)]
    - i) The certificate of representation under §97.616 for the designated representative for the source and each CSAPR SO<sub>2</sub> Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.616 changing the designated representative. [§97.606(e)(1)(i)]
    - ii) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart CCCCC. [§97.606(e)(1)(ii)]
    - iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO<sub>2</sub> Group 1 Trading Program. [§97.606(e)(1)(iii)]
  - b) The designated representative of a CSAPR SO<sub>2</sub> Group 1 source and each CSAPR SO<sub>2</sub> Group 1 unit at the source shall make all submissions required under the CSAPR SO<sub>2</sub> Group 1 Trading Program, except as provided in §97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a Title V operating permit program in 40 CFR Part 70. [§97.606(e)(2)]
- 6) *Liability.* [§97.606(f)]
  - a) Any provision of the CSAPR SO<sub>2</sub> Group 1 Trading Program that applies to a CSAPR SO<sub>2</sub> Group 1 source or the designated representative of a CSAPR SO<sub>2</sub> Group 1 source shall also apply to the permittee. [§97.606(f)(1)]
  - b) Any provision of the CSAPR SO<sub>2</sub> Group 1 Trading Program that applies to a CSAPR SO<sub>2</sub> Group 1 unit or the designated representative of a CSAPR SO<sub>2</sub> Group 1 unit shall also apply to the permittee. [§97.606(f)(2)]

- 7) *Effect on other authorities.* No provision of the CSAPR SO<sub>2</sub> Group 1 Trading Program or exemption under §97.605 shall be construed as exempting or excluding the permittee, and the designated representative, from compliance with any other provision of Missouri's state implementation plan, a federally enforceable permit, or the Clean Air Act. [§97.606(g)]

## IV. Core Permit Requirements

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

### **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) 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.

### **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) 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 to the director in writing at least ten days prior to any maintenance, start-up or shutdown activity 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, notice shall be given as soon as practicable prior to the activity.
- 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. The permittee shall retain the most current operating permit issued to this installation on-site. The permittee shall immediately make such permit available to any Missouri Department of Natural Resources personnel upon request.

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

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.

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

- 1) The permittee shall submit a Full Emissions Report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as spreadsheet file, can be submitted for approval by the director.
- 2) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 3) 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.

#### **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 10-6.165 Restriction of Emission of Odors**

**This requirement is a State Only permit requirement.**

No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour. This odor evaluation shall be taken at a location outside of the installation's property boundary.

**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.

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

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

- 3) The director shall be given a copy of the test results in writing and signed by the person responsible for the tests.

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

**Emission Limitation:**

The permittee shall not cause or permit to be discharged into the atmosphere from any source not exempted under 10 CSR 10-6.220 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.

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

**This is a State Only permit requirement.**

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.

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

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

**40 CFR Part 82 Protection of Stratospheric Ozone (Title VI)**

- 1) 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 of 40 CFR Part 82:
  - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices described in 40 CFR §82.156.
  - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment described in 40 CFR §82.158.
  - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR §82.161.
  - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with the record keeping requirements of 40 CFR §82.166. ("MVAC-like" appliance as defined at 40 CFR §82.152).
  - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR §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 40 CFR §82.166.
- 2) 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.
- 3) 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 contained 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.
- 4) 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.*

## V. General Permit Requirements

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

### **10 CSR 10-6.065(6)(C)1.B Permit Duration**

### **10 CSR 10-6.065(6)(E)3.C Extension of Expired Permits**

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. If a timely and complete application for a permit renewal is submitted, but the Air Pollution Control Program fails to take final action to issue or deny the renewal permit before the end of the term of this permit, this permit shall not expire until the renewal permit is issued or denied.

### **10 CSR 10-6.065(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, Compliance and Enforcement Section, P. O. Box 176, Jefferson City, MO 65102, or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov).
- b) The permittee shall submit a report of all required monitoring by:
  - i) October 1st for monitoring which covers the January through June time period, and
  - ii) April 1st for monitoring which covers the July through December time period.
- c) Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit, this includes deviations or Part 64 exceedances.
- d) Submit supplemental reports as required or as needed. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
  - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7.A of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.

- ii) Any deviation that poses an imminent and substantial danger to public health, safety or the environment shall be reported as soon as practicable.
- iii) Any other deviations identified in the permit as requiring more frequent reporting than the permittee's semiannual report shall be reported on the schedule specified in this permit.
- e) Every report submitted shall be certified by the responsible official, except that, if a report of a deviation must be submitted within ten days after the deviation, the report may be submitted without a certification if the report is resubmitted with an appropriate certification within ten days after that, together with any corrected or supplemental information required concerning the deviation.
- f) The permittee may request confidential treatment of information submitted in any report of deviation.

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

If the installation is required to develop and register a risk management plan pursuant to Section 112(R) of the Act, the permittee will verify that it has complied with the requirement to register the plan.

#### **10 CSR 10-6.065(6)(C)1.F Severability Clause**

In the event of a successful challenge to any part of this permit, all uncontested permit conditions shall continue to be in force. All terms and conditions of this permit remain in effect pending any administrative or judicial challenge to any portion of the permit. If any provision of this permit is invalidated, the permittee shall comply with all other provisions of the permit.

#### **10 CSR 10-6.065(6)(C)1.G General Requirements**

- 1) The permittee must comply with all of the terms and conditions of this permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
- 2) The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit
- 3) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- 4) This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
- 5) The permittee shall furnish to the Air Pollution Control Program, 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 pursuant to 10 CSR 10-6.065(6)(C)1.

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

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

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

None.

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

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
  - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
  - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
  - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
  - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov). All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:
  - a) The identification of each term or condition of the permit that is the basis of the certification;
  - b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;
  - c) Whether compliance was continuous or intermittent;
  - d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
  - e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

#### **10 CSR 10-6.065(6)(C)6 Permit Shield**

- 1) Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements as of the date that this permit is issued, provided that:
  - a) The applicable requirements are included and specifically identified in this permit, or
  - b) The permitting authority, in acting on the permit revision or permit application, determines in writing that other requirements, as specifically identified in the permit, are not applicable to the installation, and this permit expressly includes that determination or a concise summary of it.
- 2) Be aware that there are exceptions to this permit protection. The permit shield does not affect the following:
  - a) The provisions of section 303 of the Act or section 643.090, RSMo concerning emergency orders,
  - b) Liability for any violation of an applicable requirement which occurred prior to, or was existing at, the time of permit issuance,
  - c) The applicable requirements of the acid rain program,
  - d) The authority of the Environmental Protection Agency and the Air Pollution Control Program of the Missouri Department of Natural Resources to obtain information, or
  - e) Any other permit or extra-permit provisions, terms or conditions expressly excluded from the permit shield provisions.

#### **10 CSR 10-6.065(6)(C)7 Emergency Provisions**

- 1) An emergency or upset as defined in 10 CSR 10-6.065(6)(C)7.A shall constitute an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:
  - a) That an emergency or upset occurred and that the permittee can identify the source of the emergency or upset,
  - b) That the installation was being operated properly,
  - c) That the permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or requirements in this permit, and
  - d) That the permittee submitted notice of the emergency to the Air Pollution Control Program within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.
- 2) Be aware that an emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

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

An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable under the permit, and the changes do not result in the emission of any air contaminant not previously emitted. The permittee shall notify the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an

applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

- 1) Section 502(b)(10) changes. Changes that, under section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), record keeping, reporting or compliance requirements of the permit.
  - a) Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the APCP shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the APCP as above at least seven days before the change is to be made. If less than seven days notice is provided because of a need to respond more quickly to these unanticipated conditions, the permittee shall provide notice to the EPA and the APCP as soon as possible after learning of the need to make the change.
  - b) The permit shield shall not apply to these changes.

#### **10 CSR 10-6.065(6)(C)9 Off-Permit Changes**

- 1) Except as noted below, the permittee may make any change in its permitted operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Insignificant activities listed in the permit, but not otherwise addressed in or prohibited by this permit, shall not be considered to be constrained by this permit for purposes of the off-permit provisions of this section. Off-permit changes shall be subject to the following requirements and restrictions:
  - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is subject to any requirements under Title IV of the Act or is a Title I modification;
  - b) The permittee must provide contemporaneous written notice of the change to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3 of this rule. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change.
  - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and
  - d) The permit shield shall not apply to these changes.

#### **10 CSR 10-6.020(2)(R)34 Responsible Official**

The application utilized in the preparation of this permit was signed by Ajay Arora, Vice President of Environmental Services & General Resource Planning. Mr. Arora is therefore considered to be a

Responsible Official for the purpose of this Part 70 operating permit. Ameren has also designated the following individuals as Responsible Officials for the Mexico Combustion Turbine:

Ray H. Deberge, Manager, CTG & Renewable Operations  
Chris A. Iselin, Senior Vice President, Power Operations & Energy Management  
Steven Whitworth, Senior Director, Environmental Policy and Analysis

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

#### **10 CSR 10-6.065(6)(E)6 Reopening-Permit for Cause**

This permit shall be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MoDNR) receives notice from the Environmental Protection Agency (EPA) that a petition for disapproval of a permit pursuant to 40 CFR § 70.8(d) has been granted, provided that the reopening may be stayed pending judicial review of that determination,
- 2) MoDNR or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 3) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
  - a) The permit has a remaining term of less than three years;
  - b) The effective date of the requirement is later than the date on which the permit is due to expire;or
  - c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 4) The installation is an affected source under the acid rain program and additional requirements (including excess emissions requirements), become applicable to that source, provided that, upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit; or
- 5) MoDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

#### **10 CSR 10-6.065(6)(E)1.C Statement of Basis**

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

## **VI. Attachments**

Attachments follow.

**Attachment A**  
**CAIR Permit**

# **TITLE V: CLEAN AIR INTERSTATE RULE (CAIR) PERMIT**

In accordance with Title V of the Clean Air Act and Missouri State Rules 10 CSR 10-6.362, *Clean Air Interstate Rule Annual NO<sub>x</sub> Trading Program*, 10 CSR 10-6.364 *Clean Air Interstate Rule Seasonal NO<sub>x</sub> Trading Program*, and 10 CSR 10-6.366, *Clean Air Interstate Rule SO<sub>x</sub> Trading Program*, the State of Missouri issues this CAIR Permit.

**Installation Name:** Ameren Missouri Mexico Combustion Turbine  
**ORIS Code:** 6650  
**Unit ID:** Combustion Turbine 1 (CT-1)

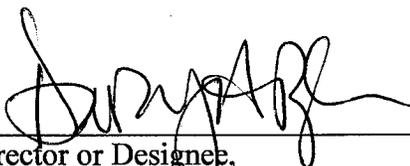
The permit application submitted for this source, as corrected by the State of Missouri Department of Natural Resources' Air Pollution Control Program, Operating Permit Section, is attached. The owners and operators of this source must comply with the standard requirements and special provisions set forth in this application.

This CAIR Permit applies only to the Combustion Turbine 1 (CT-1) at Ameren Missouri - Mexico, plant 007-0012.

This CAIR permit is being issued in conjunction with this operating permit and is effective for the same period of time as the operating permit. The permittee shall submit an application to renew this CAIR permit in conjunction with the operating permit renewal application.

**MAY 07 2018**

Date

  
\_\_\_\_\_  
Director or Designee,  
Department of Natural Resources

# CAIR Permit Application

(for sources covered under a CAIR SIP)

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For more information, refer to 40 CFR 96.121, 96.122, 96.221, 96.222, 96.321, and 96.322

This submission is:  New  Revised

**STEP 1**  
 Identify the source by plant name, State, and ORIS or facility code

Ameren Missouri Mexico Combustion Turbine Plant Name	MO State	6650 ORIS/Facility Code
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**STEP 2**  
 Enter the unit ID# for each CAIR unit and indicate to which CAIR programs each unit is subject (by placing an "X" in the column)

Unit ID#	NO <sub>x</sub> Annual	SO <sub>2</sub>	NO <sub>x</sub> Ozone Season
CT01	X	X	X
			X

**STEP 3**  
 Read the standard requirements and the certification, enter the name of the CAIR designated representative, and sign and date

**Standard Requirements**

**(a) Permit Requirements.**

- (1) The CAIR designated representative of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) required to have a title V operating permit at the source shall:
  - (i) Submit to the permitting authority a complete CAIR permit application under §96.122, §96.222, and §96.322 (as applicable) in accordance with the deadlines specified in §96.121, §96.221, and §96.321 (as applicable); and
  - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.
- (2) The owners and operators of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) required to have a title V operating permit at the source shall have a CAIR permit issued by the permitting authority under subpart CC, CCC, and CCCC (as applicable) of 40 CFR part 96 for the source and operate the source and the unit in compliance with such CAIR permit.
- (3) Except as provided in subpart II, III, and IIII (as applicable) of 40 CFR part 96, the owners and operators of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) that is not otherwise required to have a title V operating permit and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) that is not otherwise required to have a title V operating permit are not required to submit a CAIR permit application, and to have a CAIR permit, under subpart CC, CCC, and CCCC (as applicable) of 40 CFR part 96 for such CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and such CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable).

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(b) Monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) at the source shall comply with the monitoring, reporting, and recordkeeping requirements of subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 98.

(2) The emissions measurements recorded and reported in accordance with subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 98 shall be used to determine compliance by each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) with the CAIR NO<sub>x</sub> emissions limitation, CAIR SO<sub>2</sub> emissions limitation, and CAIR NO<sub>x</sub> Ozone Season emissions limitation (as applicable) under paragraph (c) of §98.106, §98.206, and §98.306 (as applicable).

(c) Nitrogen oxides emissions requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period under §96.154(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> units at the source, as determined in accordance with subpart HH of 40 CFR part 98.

(2) A CAIR NO<sub>x</sub> unit shall be subject to the requirements under paragraph (c)(1) of §98.106 for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §98.170(b)(1), (2), or (5) and for each control period thereafter.

(3) A CAIR NO<sub>x</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §98.106, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> allowance was allocated.

(4) CAIR NO<sub>x</sub> allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Allowance Tracking System accounts in accordance with subparts FF, GG, and H of 40 CFR part 98.

(5) A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> Annual Trading Program. No provision of the CAIR NO<sub>x</sub> Annual Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.105 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

(6) A CAIR NO<sub>x</sub> allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EE, FF, GG, or H of 40 CFR part 98, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> allowance to or from a CAIR NO<sub>x</sub> source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR NO<sub>x</sub> unit.

Sulfur dioxide emission requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period under §96.254(a) and (b) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source, as determined in accordance with subpart HHH of 40 CFR part 98.

(2) A CAIR SO<sub>2</sub> unit shall be subject to the requirements under paragraph (c)(1) of §98.206 for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under §98.270(b)(1), (2), or (5) and for each control period thereafter.

(3) A CAIR SO<sub>2</sub> allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §98.206, for a control period in a calendar year before the year for which the CAIR SO<sub>2</sub> allowance was allocated.

(4) CAIR SO<sub>2</sub> allowances shall be held in, deducted from, or transferred into or among CAIR SO<sub>2</sub> Allowance Tracking System accounts in accordance with subparts FFF, GGG, and III of 40 CFR part 98.

(5) A CAIR SO<sub>2</sub> allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO<sub>2</sub> Trading Program. No provision of the CAIR SO<sub>2</sub> Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §98.205 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

(6) A CAIR SO<sub>2</sub> allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart FFF, GGG, or III of 40 CFR part 98, every allocation, transfer, or deduction of a CAIR SO<sub>2</sub> allowance to or from a CAIR SO<sub>2</sub> source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR SO<sub>2</sub> unit.

Nitrogen oxides ozone season emissions requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> Ozone Season allowances available for compliance deductions for the control period under §96.354(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> Ozone Season units at the source, as determined in accordance with subpart HHHH of 40 CFR part 98.

(2) A CAIR NO<sub>x</sub> Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of §98.306 for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §98.370(b)(1), (2), (3) or (7) and for each control period thereafter.

(3) A CAIR NO<sub>x</sub> Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §98.306, for a control period in a calendar year before the year for which the CAIR NO<sub>x</sub> Ozone Season allowance was allocated.

(4) CAIR NO<sub>x</sub> Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System accounts in accordance with subparts FFFF, GGGG, and IIII of 40 CFR part 98.

(5) A CAIR NO<sub>x</sub> Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> Ozone Season Trading Program. No provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §98.305 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

(6) A CAIR NO<sub>x</sub> Ozone Season allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EEEE, FFFF, GGGG, or IIII of 40 CFR part 98, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> Ozone Season allowance to or from a CAIR NO<sub>x</sub> Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

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**(d) Excess emissions requirements.**

If a CAIR NO<sub>x</sub> source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> emissions limitation, then:

- (1) The owners and operators of the source and each CAIR NO<sub>x</sub> unit at the source shall surrender the CAIR NO<sub>x</sub> allowances required for deduction under §96.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

If a CAIR SO<sub>2</sub> source emits sulfur dioxide during any control period in excess of the CAIR SO<sub>2</sub> emissions limitation, then:

- (1) The owners and operators of the source and each CAIR SO<sub>2</sub> unit at the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under §96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

If a CAIR NO<sub>x</sub> Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NO<sub>x</sub> Ozone Season emissions limitation, then:

- (1) The owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under §96.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and
- (2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

**(e) Recordkeeping and Reporting Requirements.**

(1) Unless otherwise provided, the owners and operators of the CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the permitting authority or the Administrator.

(i) The certificate of representation under §96.113, §96.213, and §96.313 (as applicable) for the CAIR designated representative for the source and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation under §96.113, §96.213, and §96.313 (as applicable) changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96, provided that to the extent that subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96 provides for a 3-year period for recordkeeping, the 3-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable).

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) or to demonstrate compliance with the requirements of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) at the source shall submit the reports required under the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) including those under subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96.

**(f) Liability.**

(1) Each CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) shall meet the requirements of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable).

(2) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) that applies to a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) or the CAIR designated representative of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) shall also apply to the owners and operators of such source and of the CAIR NO<sub>x</sub> units, CAIR SO<sub>2</sub> units, and CAIR NO<sub>x</sub> Ozone Season units (as applicable) at the source.

(3) Any provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable) that applies to a CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) or the CAIR designated representative of a CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) shall also apply to the owners and operators of such unit.

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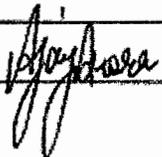
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(g) Effect on Other Authorities.

No provision of the CAIR NO<sub>x</sub> Annual Trading Program, CAIR SO<sub>2</sub> Trading Program, and CAIR NO<sub>x</sub> Ozone Season Trading Program (as applicable), a CAIR permit application, a CAIR permit, or an exemption under § 96.105, §96.205, and §96.305 (as applicable) shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) or CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

**Certification**

I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Ajay K. Arora Name	
Signature 	Date 9/20/17

## STATEMENT OF BASIS

### Installation Description

This facility consists of one (1) remotely operated, unmanned simple cycle combustion turbine for electric power generation, a 340,000 gallon distillate fuel oil storage tank and three (3) small interconnected lube oil tanks with a capacity of approximately 2,750 gallons. The design rating of the turbine is 891 MMBtu/hr and it is fueled solely by No. 2 fuel oil. The facility is a major source for all criteria pollutants except for HAPs.

### Emissions Summary, tons per year

Pollutants	2016	2015	2014	2013	2012	Potential to Emit <sup>1</sup>
Particulate Matter (PM <sub>10</sub> )	0.02	0.02	0.13	0.02	0.05	223.62 <sup>2</sup>
Particulate Matter (PM <sub>2.5</sub> )	0.02	0.01	0.12	0.02	0.05	214.67 <sup>2</sup>
Sulfur Oxides (SO <sub>x</sub> )	0.00	0.00	11.17	2.02	4.47	1,182.48 <sup>3</sup>
Nitrogen Oxides (NO <sub>x</sub> )	1.85	1.18	9.73	1.76	3.90	12,488.26 <sup>3</sup>
Volatile Organic Compounds (VOC)	0.00	0.00	0.00	0.00	0.00	319.62 <sup>3</sup>
Carbon Monoxide (CO)	0.01	0.00	0.04	0.01	0.01	3,317.19 <sup>3</sup>
Hazardous Air Pollutants (HAP)	0.00	0.00	0.00	0.00	0.00	7.23 <sup>4</sup>

<sup>1</sup>The emission unit was evaluated at 8,760 hours of uncontrolled annual operation with emission factors based on AP-42 Chapter 3 values.

<sup>2</sup>Emission factors obtained from AP-42 Table 3.4-2.

<sup>3</sup>Emission factors obtained from AP-42 Table 3.4-1.

<sup>4</sup>Emission factors obtained from AP-42 Table 3.4-3.

### Permit Reference Documents

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

- 1) Part 70 Operating Permit Application, received September 25, 2017;
- 2) 2016 Emissions Inventory Questionnaire, received March 8, 2017;
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition; and
- 4) Construction Permit #0377-004, Issued March 23, 1977

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

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

None.

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

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

**10 CSR 10-6.270, *Acid Rain Source Permits Required***

This rule does not apply because the combustion turbine qualifies for existing unit exemption per 40 CFR 72.6(b).

**10 CSR 10-6.350, *Emission Limitation and Emissions Trading of Oxides of Nitrogen***

This rule does not apply because the source is implementing the requirements of 10 CSR 10-6.364. [10 CSR 10-6.350(1)(F)]

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

This installation, a number two fuel oil fired combustion turbine, is exempt from this regulation because the regulation states that liquid and gaseous fuels are not to be considered in determining the “process weight” introduced into the emission unit. Therefore, this rule has not been included in the permit. Process weight is defined as the total weight of all materials, including solid fuels, introduced into an emission unit, which may cause any emission of particulate matter, but excluding liquids and gases used solely as fuels and air introduced for purposes of combustion. [10 CSR 10-6.400(2)]

**Construction Permit History**

Construction Permit #0377-004, Issued March 23, 1977

This permit was issued for the distillate fuel oil fired peaking combustion turbine rated at 55 MW. This permit contains no special conditions.

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

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

This subpart applies to each storage vessel for petroleum liquids which have a storage capacity greater than 40,000 gallons. The 300,000 gallon fuel oil storage tank which was constructed on September 11, 1977, is not subject to this subpart because the tank stores only #2 fuel oil, which is excluded by the definition of petroleum liquid listed in Section 60.111(b).

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

This subpart does not apply to the 300,000 gallon fuel oil storage tank since the tank was constructed on September 11, 1977, and has not been reconstructed or modified after July 23, 1984.

40 CFR Part 60, Subpart GG, *Standards of Performance for Stationary Gas Turbines*

This subpart applies to stationary gas turbines constructed on or after October 3, 1977. This turbine was constructed August 31, 1977, and therefore, is not subject to the requirements of this subpart.

40 CFR Part 60, Subpart KKKK, *Standards of Performance for Stationary Combustion Turbines*

This subpart applies to stationary combustion turbines constructed on or after February 18, 2005. This turbine was constructed August 31, 1977, and therefore, is not subject to the requirements of this subpart.

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

40 CFR Part 63 Subpart YYYY, *National Emission Standard for Hazardous Air Pollutants for Stationary Combustion Turbines*.

This facility is not a major source of HAPs therefore this regulation does not apply to the combustion turbine.

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

40 CFR Part 61, Subpart M – *National Emission Standards for Asbestos* is applicable to the installation and has been applied within this permit (see Section IV. Core Permit Requirements).

**Compliance Assurance Monitoring (CAM) Applicability**

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

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

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

40 CFR Part 64 is not applicable because none of the pollutant-specific emission units uses a control device to achieve compliance with a relevant standard.

### **Greenhouse Gas Emissions**

This source may be subject to the Greenhouse Gas Reporting Rule. However, the preamble of the GHG Reporting Rule clarifies that Part 98 requirements do not have to be incorporated in Part 70 permits operating permits at this time. In addition, Missouri regulations do not require the installation to report CO<sub>2</sub> emissions in their Missouri Emissions Inventory Questionnaire; therefore, the installation's CO<sub>2</sub> emissions were not included within this permit. If required to report, the applicant is required to report the data directly to EPA. The public may obtain CO<sub>2</sub> emissions data by visiting <http://epa.gov/ghgreporting/ghgdata/reportingdatasets.html>.

### **Other Regulatory Determinations**

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

This rule applies to all sources of visible emissions, and includes exceptions for emission units that are internal combustion engines. The rule remains a part of the operating permit in Section IV: Core Permit Requirements; however, no monitoring is required because no visible emissions are anticipated to occur during normal operation the emission units.

### **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 APCP'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).

## Response to Public Comments

The draft Part 70 Operating Permit for Ameren Missouri – Mexico Combustion Turbine (007-0012) was placed on public notice as of December 22, 2017 for a 30-day comment period. The public notice was published on the Department of Natural Resources' Air Pollution Control Program's web page at: <http://dnr.mo.gov/env/apcp/permit-public-notice.htm>.

The Air Pollution Control Program received comments from Ms. Leslye Werner from EPA Region 7. The comments are addressed below.

### Comment #: 1

Monitoring requirement 1., in Permit Condition 1, requires the permittee to conduct visible emissions observations on each emission unit using USEPA Test Method 22 **like procedure** (emphasis added). EPA recognizes the requirements of the Method 22 procedure; however, EPA does not recognize or understand the Method 22 **like procedures** (emphasis added). In the introduction to EPA Method 22, EPA indicates minor changes in the test methods should not necessarily affect the validity of the results and it is recognized that alternative and equivalent methods exist. §60.8 provides authority for the Administrator to specify or approve (1) equivalent methods, (2) alternative methods, and (3) minor changes in the methodology of the test methods. It should be clearly understood that unless otherwise identified all such methods and changes must have prior approval of the Administrator. An owner employing such methods or deviations from the test methods without obtaining prior approval does so at the risk of subsequent disapproval and retesting with approved methods. If MoDNR is authorized the use of a modified standard approved method; it is EPA's contention that the modified test method should receive formal review and approval, by the Administrator, and the approved alternative test method should be attached to the issued operating permit.

### Response to Comment:

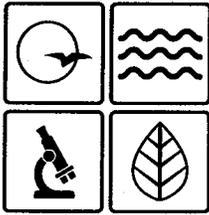
10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants*, has been removed from Section III: Emission Unit Specific Emission Limitations. This rule applies to all sources of visible emissions and includes exceptions for emission units that are internal combustion engines. Combustion turbines are internal combustion engines that convert rotary motion to usable shaft horsepower rather than converting the reciprocating motion of pistons to usable shaft horsepower. While the combustion turbines do not meet the exemption in 6.220(1)(A) as they do not meet the definition of internal combustion engine defined in 10 CSR 10-6.020(2)(I)25., it is anticipated that during the life of the operating permit, this definition will be changed to include combustion turbines in addition to reciprocating internal combustion engines. For now, the rule remains a part of the operating permit in Section IV: Core Permit Requirements; however, no monitoring is required because no visible emissions are anticipated to occur during normal operation of the emission units. This regulation will no longer be applicable to the turbines once the definition of internal combustion engine is updated; no action is required on the part of the permittee to remove this regulation from the operating permit once the definition is updated.

**Comment #: 2**

Section V: *General Permit Requirements* includes 10 CSR 10-6.065(6)(C)1.E: *Title IV Allowances*: which prohibits emissions which exceed any allowances the installation holds under Title IV of the Clean Air Act. Ameren Missouri Mexico Combustion Turbine does not hold any allowances under Title IV; in fact, this facility is not subject to the Acid Rain provisions under Title IV of the Clean Air Act. Therefore, EPA suggests this General Permit requirement is not applicable and MoDNR may want to consider removing it from the final operating permit.

**Response to Comment:**

10 CSR 10-6.065(6)(C)1.E: *Title IV Allowances* under Section V: *General Permit Requirements* has been removed.



Missouri Department of

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# NATURAL RESOURCES

Eric R. Greitens, Governor

Carol S. Comer, Director

**MAR 26 2018**

Mr. Ajay Arora  
Ameren Missouri Mexico Combustion Turbine  
1901 Chouteau Avenue, MC 601  
St. Louis, MO 63103

Re: Ameren Missouri Mexico Combustion Turbine, 007-0012  
Permit Number: OP2018-028

Dear Mr. Arora:

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

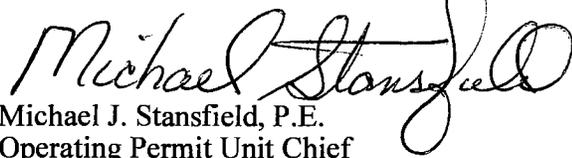
This permit may include requirements with which you may not be familiar. If you would like the department to meet with you to discuss how to understand and satisfy the requirements contained in this permit, an appointment referred to as a Compliance Assistance Visit (CAV) can be set up with you. To request a CAV, please contact your local regional office or fill out an online request. The regional office contact information can be found at <http://dnr.mo.gov/regions/>. The online CAV request can be found at <http://dnr.mo.gov/cav/compliance.htm>.

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.078.16 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed. If it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC.

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

Sincerely,

AIR POLLUTION CONTROL PROGRAM



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

MJS:abj

Enclosures

c: PAMS File: 2017-09-038



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