



Missouri Department of Natural Resources
Air Pollution Control Program

PART 70

PERMIT TO OPERATE

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

Operating Permit Number: OP2012-031
Expiration Date: AUG 22 2017
Installation ID: 163-0047
Project Number: 2011-06-074

Installation Name and Address

Peno Creek Energy Center
16303 Industrial Park Road
Bowling Green, MO 63334
Pike County

Parent Company's Name and Address

Union Electric Company d/b/a Ameren Missouri
1901 Chouteau Avenue, P.O. Box 66149
St. Louis, MO 63166-6149

Installation Description:

This installation generates electrical power for distribution and sale. It is operated as a peaking unit, generating power during periods of high electrical demand. The installation consists of four dual-fuel fired Pratt & Whitney FT8 Twin Pacs, each with the nominal capacity to produce 60 Megawatts (MW) of electrical power; total installation generation nominal capacity is 240 MW of electrical power. The turbines combust either pipeline quality natural gas or No. 2 Fuel Oil. There is also a 1.3 million-gallon fuel oil tank on site. Each Pratt & Whitney FT8 Twin Pac consists of two combustion turbines coupled to a single electrical generator.

AUG 23 2012

Effective Date

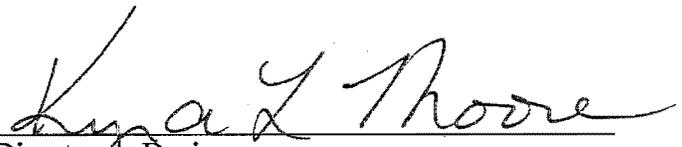

Director or Designee
Department of Natural Resources

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

This installation generates electrical power for distribution and sale. It is operated as a peaking unit, generating power during periods of high electrical demand. The installation consists of four dual-fuel fired Pratt & Whitney FT8 Twin Pacs, each with the nominal capacity to produce 60 MW of electrical power; total installation nominal generation capacity is 240 MW of electrical power. The turbines combust either pipeline quality natural gas or No. 2 Fuel Oil. There is also a 1.3 million gallon fuel oil tank on site. Each Pratt & Whitney FT8 Twin Pac consists of two combustion turbines coupled to a single electrical generator. Consequently, there are two (2) combustion sources and two (2) exhaust stacks associated with each turbine set. This installation received a New Source Review (NSR) permit in late 2001, which authorized construction of the installation. It has been in operation, producing electrical power, since calendar year 2002.

The combustion turbines are capable of firing either pipeline quality natural gas or distillate oil. The distillate oil has a sulfur content of 0.05 percent (%) by weight or less. Each combustion turbine is equipped with water injection to control NO_x emissions to 25 parts per million by volume, dry (ppmvd), when combusting natural gas, and 42 ppmvd when combusting distillate oil. Carbon monoxide is controlled by good combustion practices and by a CO catalyst. The CO catalyst has a nominal control efficiency of 80 percent (%) for CO. This installation has the potential to be a major source of PM₁₀, NO_x, VOC, CO, SO_x, and HAPs. However, Ameren Missouri requested, in the new source review process, that it be conditioned such that potential emissions would not exceed the major source levels.

Reported Air Pollutant Emissions, tons per year					
Pollutants	2010	2009	2008	2007	2006
Particulate Matter ≤ Ten Microns (PM ₁₀)	6.30	3.53	4.07	9.23	5.50
Particulate Matter ≤ 2.5 Microns (PM _{2.5})	0.00	0.00	0.00	0.00	0.00
Sulfur Oxides (SO _x)	0.38	0.28	0.31	0.56	0.34
Nitrogen Oxides (NO _x)	55.41	30.90	35.73	81.16	48.41
Volatile Organic Compounds(VOC)	5.67	3.15	3.64	8.30	4.95
Carbon Monoxide (CO)	3.40	1.89	2.18	4.98	2.97
Lead (Pb)	0.00	0.00	0.00	0.00	0.00
Hazardous Air Pollutants (HAPs)	0.00	0.00	0.00	0.00	0.00
Ammonia (NH ₃)	0.00	0.00	0.00	0.00	0.00

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>
CT1A	Pratt & Whitney FT8 simple-cycle combustion turbine
CT1B	Pratt & Whitney FT8 simple-cycle combustion turbine
CT2A	Pratt & Whitney FT8 simple-cycle combustion turbine
CT2B	Pratt & Whitney FT8 simple-cycle combustion turbine
CT3A	Pratt & Whitney FT8 simple-cycle combustion turbine
CT3B	Pratt & Whitney FT8 simple-cycle combustion turbine
CT4A	Pratt & Whitney FT8 simple-cycle combustion turbine
CT4B	Pratt & Whitney FT8 simple-cycle combustion turbine

EMISSION UNITS WITHOUT LIMITATIONS

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

<u>Description of Emission Source</u>
No. 2 Fuel Oil storage tank for combustion turbines, 1.3 million gallons
8 Lubricating oil tanks, 42 gallons each
4 Generator lubricating oil reservoirs, 450 gallons each
Maintenance transformer oil tank, 330 gallons
2 Auxillary transformer oil tanks, 314 gallons each
Parts Washer

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.

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.

Combustion Turbines		
Emission Unit	Description	Manufacturer/ Model #
CT1A CT1B	Combustion Turbine Units 1A and 1B (Simple Cycle) Generating Capacity: 60 MW total MHDR: 300 MMBtu/hr each (natural gas combustion) 266 MMBtu/hr each (No. 2 oil combustion) Installation Date: 2001 Fuel Type: Natural Gas and No. 2 Fuel Oil	Pratt & Whitney/ FT8 Pratt & Whitney/ FT8
CT2A CT2B	Combustion Turbine Units 2A and 2B (Simple Cycle) Generating Capacity: 60 MW total MHDR: 300 MMBtu/hr each (natural gas combustion) 266 MMBtu/hr each (No. 2 oil combustion) Installation Date: 2001 Fuel Type: Natural Gas and No. 2 Fuel Oil	Pratt & Whitney/ FT8 Pratt & Whitney/ FT8
CT3A CT3B	Combustion Turbine Units 3A and 3B (Simple Cycle) Generating Capacity: 60 MW total MHDR: 300 MMBtu/hr each (natural gas combustion) 266 MMBtu/hr each (No. 2 oil combustion) Installation Date: 2001 Fuel Type: Natural Gas and No. 2 Fuel Oil	Pratt & Whitney/ FT8 Pratt & Whitney/ FT8
CT4A CT4B	Combustion Turbine Units 4A and 4B (Simple Cycle) Generating Capacity: 60 MW total MHDR: 300 MMBtu/hr each (natural gas combustion) 266 MMBtu/hr each (No. 2 oil combustion) Installation Date: 2001 Fuel Type: Natural Gas and No. 2 Fuel Oil	Pratt & Whitney/ FT8 Pratt & Whitney/ FT8

PERMIT CONDITION (CT1A through CT4B)-001

10 CSR 10-6.060 Construction Permits Required
 Construction Permit 112001-007

Emissions Limitations

1. The permittee shall emit into the atmosphere from all eight turbine engines (CT1A, CT1B, CT2A, CT2B, CT3A, CT3B, CT4A, and CT4B) no more than 100 tons of carbon monoxide (CO) in any consecutive 12-month period. (Special Condition 1)
2. The permittee shall emit into the atmosphere from all eight turbine engines (CT1A, CT1B, CT2A, CT2B, CT3A, CT3B, CT4A, and CT4B) no more than 100 tons of nitrogen oxides (NO_x) in any consecutive 12-month period. (Special Condition 2)

Operational Limitation

All natural gas and/or fuel oil combusted in the equipment covered with this permit shall have a sulfur content of 0.05 percent by weight or less. (Special Condition 3)

Control Equipment

1. The permittee shall control CO emissions from each turbine engine using CO catalyst. The CO catalyst shall be operated and maintained in accordance to manufacturer's specifications at all times the turbine engines are in operation. (Special Condition 8)
2. The permittee shall control NO_x emissions from each turbine engine using water injection. The water injection shall achieve a NO_x emission rate of 25 parts per million by volume (ppmvd) corrected to 15 percent (%) oxygen on a dry basis when natural gas is burned in the combustion turbines. The water injection shall achieve a NO_x emission rate of 42 parts per million by volume (ppmvd) corrected to 15 percent (%) oxygen on a dry basis when distillate oil is burned in the combustion turbines. The water injection shall be operated and maintained in accordance to manufacturer's specifications at all times the turbine engines are in operation. (Special Condition 9)

Continuous Emission Monitoring System (CEMS)

1. The permittee shall install, calibrate, maintain and operate continuous monitoring systems and record the output of the systems for measuring CO and NO_x emissions discharged to the atmosphere. These systems shall be placed in an appropriate location on each turbine engine's flue gas exhaust such that accurate readings are possible. The output data from the CEMS shall be used in demonstrating compliance with Special Conditions 1 and 2 (Emissions Limitations). (Special Condition 14)
2. The CEMS shall be installed and operated according to the guidelines in 40 CFR Part 75 for the NO_x and diluent CEMS requirements and according to the performance specification requirements of 40 CFR Part 60, Appendix B for CO. (Special Condition 15)

Recordkeeping

1. Ameren Missouri shall maintain the monthly and the sum of the most recent consecutive 12-month records of CO emissions from the eight turbine engines. Ameren Missouri shall use Attachment B *Monthly CO Emissions Tracking Records*, or an equivalent form, to demonstrate compliance with Special Condition 1 (Emissions Limitations). These records shall be maintained on-site for five years and shall be made available for inspection to the Department of Natural Resources' personnel upon request. (Special Condition 4)
2. Ameren Missouri shall maintain the monthly and the sum of the most recent consecutive 12-month records of NO_x emissions from the eight turbine engines. Ameren Missouri shall use Attachment C *Monthly NO_x Emissions Tracking Records*, or an equivalent form, to demonstrate compliance with Special Condition 2 (Emissions Limitations). These records shall be maintained on-site for five years and shall be made available for inspection to the Department of Natural Resources' personnel upon request. (Special Condition 5)

Reporting

1. Ameren Missouri shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than thirty days after the end of the month during which the *Monthly CO Emissions Tracking Records* (Attachment B) in Special Condition Number 1 (Recordkeeping) indicates that the source exceeded the emission limitation of Special Condition Number 1 (Emissions Limitations). (Special Condition 6)

2. Ameren Missouri shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than thirty days after the end of the month during which the *Monthly NO_x Emissions Tracking Records* (Attachment C) in Special Condition 2 (Recordkeeping) indicates that the source exceeded the emission limitation of Special Condition 2 (Emissions Limitations). (Special Condition 7)
3. The permittee shall report any deviations from the standards, monitoring/testing, 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 (CT1A through CT4B)-002

10 CSR 10-6.070

New Source Performance Regulations

40 CFR Part 60 Subpart GG

Standards of Performance for Stationary Gas Turbines

Alternative Monitoring and Testing Protocol Approval Letter, dated May 31, 2002

Emission Limitation

Stationary gas turbines using water or steam injection for control of NO_x emissions are exempt from Paragraph 40 CFR §60.332(a) when ice fog is deemed a traffic hazard by the owner or operator of the gas turbine. [§60.332(f)]

Ongoing Compliance Demonstration

1. Ameren Missouri-Peno Creek shall install, operate, maintain, and quality assure a NO_x and diluent CEMS, pursuant to 40 CFR Part 75, for each turbine. [EPA Letter]
2. Ameren Missouri-Peno Creek shall calculate and record an ISO-corrected NO_x emission rate each hour using the equation in 40 CFR §60.335(c)(1). If CO₂ is used as the diluent, then the NO_x concentration shall be corrected to an O₂ basis using the appropriate equations in 40 CFR Part 60, Appendix A, Reference Method 20, Section 7. [EPA Letter]
3. As an alternative to calculating and recording an ISO-corrected NO_x emission rate for each hour, Ameren Missouri-Peno Creek may perform a "worst case" ISO calculation, using the equation in §60.335(c)(1) to back calculate an observed NO_x concentration (NO_{xo}) at which the corresponding ISO corrected NO_x rate (NO_x) would exceed the Subpart GG standard. For the purpose of this calculation, Ameren Missouri-Peno Creek should substitute the maximum humidity of ambient air (H₀), minimum ambient temperature (T_a), and minimum combustor inlet absolute pressure (P₀) into the ISO adjustment equation. [EPA Letter]
4. Excess emissions shall be reported for all periods of unit operation, including startup, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined as follows: [§60.334(j)]
 - a) An hour of excess emissions shall be any unit operating hour in which the 4-hour rolling average NO_x concentration exceeds the applicable emission limit in §60.332(a)(1) or (2). For the purposes of Subpart GG, a "4-hour rolling average NO_x concentration" is the arithmetic average of the average NO_x concentration measured by the CEMS for a given hour (corrected to 15 percent O₂ and, if required under §60.335(b)(1), to ISO standard conditions) and the three unit operating hour average NO_x concentrations immediately preceding that unit operating hour. [§60.334(j)(iii)(A)]

Fuel Monitoring Requirements

1. Requirements for Sulfur
 - a) While operating on natural gas: [§60.334(h)(3)(ii)]

The owner or operator shall conduct representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 14.7 grains/100 scf. The owner or operator is meeting this requirement by documenting that the natural gas burned meets the definition of pipeline natural gas in accordance with Section 2.3.1.4 of Appendix D of 40 CFR Part 75.
 - b) While operating on diesel fuel[§60.334(i)(1)]:

For fuel oil, the owner or operator shall use one of the total sulfur sampling options and the associated sampling frequency described in Sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of Appendix D to 40 CFR Part 75 (i.e., flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank).
2. Requirements for Nitrogen [EPA letter]:

Pursuant to 40 CFR §60.13(i), Ameren Missouri-Peno Creek shall not be required to sample the nitrogen content of the fuel, as long as the following conditions are met:

 - a) As described in its April 17, 2002 request, Ameren Missouri-Peno Creek agrees to accept a value of zero (0) for the fuel-bound nitrogen credit. As a result, no nitrogen sampling and analysis of the fuel is required.
3. For your protection and as a courtesy to the agency responsible for reviewing the excess emission reports, we suggest that Ameren Missouri-Peno Creek add a statement to each report reaffirming that no nitrogen sampling was performed pursuant to the agreement described herein.

Recordkeeping

1. *Ice fog.* Each period during which an exemption provided in §60.332(f) is in effect shall be reported in writing to the Administrator quarterly. For each period the ambient conditions existing during the period, the date and time the air pollution control system was deactivated, and the date and time the air pollution control system was reactivated shall be reported. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter.
2. *Emergency fuel.* Each period during which an exemption provided in §60.332(k) is in effect shall be included in the report required in §60.7(c). For each period, the type, reasons, and duration of the firing of the emergency fuel shall be reported.
3. All reports required under §60.7(c) shall be postmarked by the 30th day following the end of each calendar quarter.
4. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
5. All records shall be maintained for five years.

Reporting

1. Sulfur Excess Emission Reporting Ameren Missouri-Peno Creek shall submit an excess emissions report to the Missouri Department of Natural Resources consistent with the format and schedule described in 40 CFR §60.7(d). Since sulfur emissions from both the pipeline grade natural gas and low sulfur diesel fuel are expected to be at least an order of magnitude less than the NSPS Subpart GG fuel sulfur standards-Ameren Missouri-Peno Creek may submit the streamlined excess emission report provided for in §60.7(c)(4) and §60.7(d)(1). [EPA letter]

2. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than thirty days after any exceedance of any of the terms imposed by this regulation, or any malfunction which causes an exceedance of this regulation.
3. The permittee shall report any deviations from the standards, monitoring/testing, 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 (CT1A through CT4B)-003

10 CSR 10-6.270

Acid Rain Source Permits Required

Emission Limitation

The permittee shall obtain an Acid Rain Source Permit for CT1A through CT4B pursuant to Title IV of the Clean Air Act. The permittee submitted a Phase II permit application on August 11, 2010, under 10 CSR 10-6.270, "Acid Rain Source Permits Required." Sulfur dioxide (SO₂) limitations are referenced in the installation's Phase II permit. The Phase II permit (OP2010-124) was issued on November 19, 2010, (See Attachment D) and expires on December 31, 2015.

Monitoring/Recordkeeping

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

PERMIT CONDITION (CT1A through CT4B)-004

10 CSR 10-6.362, Clean Air Interstate Rule Annual NO_x Trading Program

10 CSR 10-6.364, Clean Air Interstate Rule Seasonal NO_x Trading Program

10 CSR 10-6.366, Clean Air Interstate Rule SO₂ Trading Program

Emission Limitation

The permittee shall obtain a CAIR Permit for the combustion units (CT1A through CT4B) pursuant to Title IV of the Clean Air Act.

Monitoring/Recordkeeping

1. The permittee shall retain the CAIR permit issued to this installation onsite.
2. The permittee shall make the CAIR permit available to any Missouri Department of Natural Resources' personnel upon request

Reporting

1. Annual Compliance Certification.
2. 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.

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 is only an excerpt from the regulation or code, and is 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) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
 - a) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
 - i) Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
 - ii) Springfield-Greene County area. The open burning of household refuse must take place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District;
 - iii) St. Joseph area. The open burning of household refuse must take place within an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of St. Joseph; and
 - iv) St. Louis metropolitan area. The open burning of household refuse is prohibited;
 - b) Yard waste, with the following exceptions:
 - i) Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
 - ii) Springfield-Greene County area. The City of Springfield requires an open burning permit for the open burning of trees, brush or any other type of vegetation. The City of Springfield prohibits the open burning of tree leaves;
 - iii) St. Joseph area. Within the corporate limits of St. Joseph, the open burning of trees, tree leaves, brush or any other type of vegetation grown on a residential property is allowed during the following calendar periods and time-of-day restrictions:
 - (1) A three (3)-week period within the period commencing the first day of March through April 30 and continuing for twenty-one (21) consecutive calendar days;
 - (2) A three (3)-week period within the period commencing the first day of October through November 30 and continuing for twenty-one (21) consecutive calendar days;
 - (3) The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
 - (4) In each instance, the twenty-one (21)-day burning period shall be determined by the Director of Public Health and Welfare of the City of St. Joseph for the region in which the City of St. Joseph is located provided, however, the burning period first shall receive the approval of the department Director; and

- iv) St. Louis metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation is limited to the period beginning September 16 and ending April 14 of each calendar year and limited to a total base area not to exceed sixteen (16) square feet. Any open burning shall be conducted only between the hours of 10:00 a.m. and 4:00 p.m. and is limited to areas outside of incorporated municipalities;
- 3) Certain types of materials may be open burned provided an open burning permit is obtained from the Director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.
- 4) Peno Creek Energy Center may be issued an annually renewable open burning permit for open burning provided that an air curtain destructor or incinerator is utilized and only tree trunks, tree limbs, vegetation or untreated wood waste are burned. Open burning shall occur at least two hundred (200) yards from the nearest occupied structure unless the owner or operator of the occupied structure provides a written waiver of this requirement. Any waiver shall accompany the open burning permit application. The permit may be revoked if Peno Creek Energy Center fails to comply with the provisions or any condition of the open burning permit.
- a) In a nonattainment area, as defined in 10 CSR 10-6.020, Paragraph (2)(N)5., the Director shall not issue a permit under this section unless the owner or operator can demonstrate to the satisfaction of the Director that the emissions from the open burning of the specified material would be less than the emissions from any other waste management or disposal method.
- 5) Reporting and Recordkeeping. New Source Performance Standard (NSPS) 40 CFR Part 60 Subpart CCCC establishes certain requirements for air curtain destructors or incinerators that burn wood trade waste. These requirements are established in 40 CFR 60.2245-60.2260. The provisions of 40 CFR Part 60 Subpart CCCC promulgated as of September 22, 2005, shall apply and are hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. To comply with NSPS 40 CFR 60.2245-60.2260, sources must conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the Director.
- 6) Test Methods. The visible emissions from air pollution sources shall be evaluated as specified by 40 CFR Part 60, Appendix A–Test Methods, Method 9–Visual Determination of the Opacity of Emissions from Stationary Sources. The provisions of 40 CFR Part 60, Appendix A, Method 9 promulgated as of December 23, 1971, is incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401.

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the Director within two business days, in writing, the following information:
- a) Name and location of installation;
- b) Name and telephone number of person responsible for the installation;
- c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
- d) Identity of the equipment causing the excess emissions;
- e) Time and duration of the period of excess emissions;
- f) Cause of the excess emissions;
- g) Air pollutants involved;
- h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;

- i) Measures taken to mitigate the extent and duration of the excess emissions; and
 - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the Paragraph 1 information list to the Director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the Director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days.
 - 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under Section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the Paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the Director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under Section 643.080 or 643.151, RSMo.
 - 4) Nothing in this rule shall be construed to limit the authority of the Director or commission to take appropriate action, under Sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
 - 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

10 CSR 10-6.060 Construction Permits Required

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

10 CSR 10-6.065 Operating Permits

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

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

- 1) The permittee shall follow the procedures and requirements of 40 CFR Part 61, Subpart M for any activities occurring at this installation which would be subject to provisions for 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos.

- 2) The permittee shall conduct monitoring to demonstrate compliance with registration, certification, notification, and Abatement Procedures and Practices standards as specified in 40 CFR Part 61, Subpart M.

10 CSR 10-6.100 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 Submission of Emission Data, Emission Fees and Process Information

- 1) The permittee shall submit 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) The permittee may be required by the Director to file additional reports.
- 3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 4) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.
- 5) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the emissions report.
- 6) The permittee shall complete required reports on state supplied EIQ forms or electronically via MoEIS. Alternate methods of reporting the emissions can be submitted for approval by the Director. The reports shall be submitted to the Director by April 1 after the end of each reporting year. If the full emissions report is filed electronically via MoEIS, this due date is extended to May 1.
- 7) The reporting period shall end on December 31 of each calendar year. Each report shall contain the required information for each emission unit for the twelve (12)-month period immediately preceding the end of the reporting period.
- 8) The permittee shall collect, record and maintain the information necessary to complete the required forms during each year of operation of the installation.

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

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

10 CSR 10-6.150 Circumvention

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

10 CSR 10-6.170

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

Emission Limitation:

- 1) The permittee shall not cause or allow to occur any handling, transporting or storing of any material; construction, repair, cleaning or demolition of a building or its appurtenances; construction or use of a road, driveway or open area; or operation of a commercial or industrial installation without applying reasonable measures as may be required to prevent, or in a manner which allows or may allow, fugitive particulate matter emissions to go beyond the premises of origin in quantities that the particulate matter may be found on surfaces beyond the property line of origin. The nature or origin of the particulate matter shall be determined to a reasonable degree of certainty by a technique proven to be accurate and approved by the Director.
- 2) The permittee shall not cause nor allow to occur any fugitive particulate matter emissions to remain visible in the ambient air beyond the property line of origin.
- 3) Should it be determined that noncompliance has occurred, the Director may require reasonable control measures as may be necessary. These measures may include, but are not limited to, the following:
 - a) Revision of procedures involving construction, repair, cleaning and demolition of buildings and their appurtenances that produce particulate matter emissions;
 - b) Paving or frequent cleaning of roads, driveways and parking lots;
 - c) Application of dust-free surfaces;
 - d) Application of water; and
 - e) Planting and maintenance of vegetative ground cover.

Monitoring:

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

The permittee shall maintain the following monitoring schedule:

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

Recordkeeping:

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

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

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 10-6.165 Restriction of Emission of Odors

This requirement is not federally enforceable.

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

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

The permittee shall conduct all asbestos abatement projects within the procedures established for certification and accreditation by 10 CSR 10-6.250. This rule requires individuals who work in asbestos abatement projects to be certified by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires training providers who offer training for asbestos abatement occupations to be accredited by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires persons who hold exemption status from certain requirements of this rule to allow the department to monitor training provided to employees. Each individual who works in asbestos abatement projects must first obtain certification for the appropriate occupation from the department. Each person who offers training for asbestos abatement occupations must first obtain accreditation from the department. Certain business entities that meet the requirements for state-approved exemption status must allow the department to monitor training classes provided to employees who perform asbestos abatement.

Title VI – 40 CFR Part 82 Protection of Stratospheric Ozone

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
 - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106.
 - b) The placement of the required warning statement must comply with the requirements pursuant to §82.108.
 - c) The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110.

- d) No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
- 2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
 - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
 - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
 - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
 - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to §82.166. ("MVAC-like" appliance as defined at §82.152).
 - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
 - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
- 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.
- 5) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR Part 82*

10 CSR 10-6.280 Compliance Monitoring Usage

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
 - a) Monitoring methods outlined in 40 CFR Part 64;
 - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and
 - c) Any other monitoring methods approved by the Director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred by a permittee:
 - a) Monitoring methods outlined in 40 CFR Part 64;
 - b) A monitoring method approved for the permittee pursuant to 10 CSR 10-6.065, "Operating Permits", and incorporated into an operating permit; and

- c) Compliance test methods specified in the rule cited as the authority for the emission limitations.
- 3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:
 - a) Applicable monitoring or testing methods, cited in:
 - i) 10 CSR 10-6.030, "Sampling Methods for Air Pollution Sources";
 - ii) 10 CSR 10-6.040, "Reference Methods";
 - iii) 10 CSR 10-6.070, "New Source Performance Standards";
 - iv) 10 CSR 10-6.080, "Emission Standards for Hazardous Air Pollutants"; or
 - b) Other testing, monitoring, or information gathering methods, if approved by the Director, that produce information comparable to that produced by any method listed above.

V. General Permit Requirements

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

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

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

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

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

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

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

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

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

10 CSR 10-6.065(6)(C)1.E Title IV Allowances

This permit prohibits emissions which exceed any allowances the installation holds under Title IV of the Clean Air Act.

No permit revisions shall be required for increases in emissions that are authorized by allowances acquired pursuant to the acid rain program if the increases do not require a permit revision under any other applicable requirement.

Limits cannot be placed on the number of allowances that may be held by an installation. The installation may not use these allowances, however, as a defense for noncompliance with any other applicable requirement.

Any allowances held by a Title IV installation shall be accounted for according to procedures established in rules promulgated under Title IV of the Clean Air Act.

The permittee was granted an Acid Rain Permit (OP2010-124) on November 19, 2010 (see Attachment D). The Acid Rain Permit is effective until December 31, 2015. The permittee shall submit a renewal application no later than June 30, 2014.

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)1.J Emissions Trading

The permittee was granted an Acid Rain Permit (OP2010-124) on November 19, 2010 (see Attachment D). The Acid Rain Permit is effective until December 31, 2015. The permittee shall submit a renewal application no later than June 30, 2014.

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

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
 - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;

- b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semi-annually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
- a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
 - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, as well as the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. 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's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

- 1) Section 502(b)(10) changes. Changes that, under Section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting or compliance requirements of the permit.
 - a) Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the Air Pollution Control Program shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the Air Pollution Control

Program as above at least seven days before the change is to be made. If less than seven days notice is provided because of a need to respond more quickly to these unanticipated conditions, the permittee shall provide notice to the EPA and the Air Pollution Control Program as soon as possible after learning of the need to make the change.

- b) The permit shield shall not apply to these changes.

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

- 1) Except as noted below, the permittee may make any change in its permitted operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Insignificant activities listed in the application, but not otherwise addressed in or prohibited by this permit, shall not be considered to be constrained by this permit for purposes of the off-permit provisions of this section. Off-permit changes shall be subject to the following requirements and restrictions:
 - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is subject to any requirements under Title IV of the Act or is a Title I modification;
 - b) The permittee must provide written notice of the change to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, no later than the next annual emissions report. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change.
 - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and
 - d) The permit shield shall not apply to these changes.

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

The application utilized in the preparation of this permit was signed by Mr. Michael L. Menne, Vice President Environmental Services. Mr. Menne is therefore the responsible official for the purposes of this Part 70 operating permit. Ameren has also designated the following individuals as Responsible Officials for the Peno Creek Energy Center: Daniel F. Cole – President & CEO Ameren Services and Ozzie L. Lomax – Manager Renewables & CTG Operations. If any of these individuals terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

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

This permit may be reopened for cause if:

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

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

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

VI. Attachments

Attachments follow.

ATTACHMENT B
 Monthly CO Compliance Worksheet

This sheet covers the period from _____ to _____
 (month/year) (month/year)

Emission Unit	Hours of Operation (Hours)	Type of Fuel ¹	Emission Rate ² (lb/hr)	CO Emissions ³ (tons)
CT1A				
CT1B				
CT2A				
CT2B				
CT3A				
CT3B				
CT4A				
CT4B				
Total CO Emissions for This Month ⁴				
12 Month CO Emissions from Previous Month's Worksheet ⁵				
Monthly CO Emissions from Previous Year's Worksheet ⁶				
Current 12 Month Total CO Emissions ⁷				

¹Type of fuel will either be natural gas or distillate oil

²Emission rate will be based on type of fuel

³Monthly CO emissions will be based upon CEMS data. In cases when CEMS data is not available:

$$CO\ Emissions = \frac{hours\ of\ operation \times emission\ rate}{2000}$$

⁴Sum of CO emissions reported for all combustion turbines for the month

⁵Running 12 month total CO emissions from the previous month's worksheet

⁶CO emissions reported for this month in the last calendar year

⁷Amount reported for (⁵) minus the amount reported for (⁶) plus the amount reported in (⁴), not to exceed 100 tons in any consecutive 12 month period

ATTACHMENT C
 Monthly NO_x Compliance Worksheet

This sheet covers the period from _____ to _____
 (month/year) (month/year)

Emission Unit	Hours of Operation (Hours)	Type of Fuel ¹	Emission Rate ² (lb/hr)	NO _x Emissions ³ (tons)
CT1A				
CT1B				
CT2A				
CT2B				
CT3A				
CT3B				
CT4A				
CT4B				
Total NO _x Emissions for This Month ⁴				
12 Month NO _x Emissions from Previous Month's Worksheet ⁵				
Monthly NO _x Emissions from Previous Year's Worksheet ⁶				
Current 12 Month Total NO _x Emissions ⁷				

¹Type of fuel will either be natural gas or distillate oil

²Emission rate will be based on type of fuel

³Monthly NO_x emissions will be based upon CEMS data. In cases when CEMS data is not available:

$$NO_x \text{ Emissions} = \frac{\text{hours of operation} \times \text{emission rate}}{2000}$$

⁴Sum of NO_x emissions reported for all combustion turbines for the month

⁵Running 12 month total NO_x emissions from the previous month's worksheet

⁶NO_x emissions reported for this month in the last calendar year

⁷Amount reported for (⁵) minus the amount reported for (⁶) plus the amount reported in (⁴), not to exceed 100 tons in any consecutive 12 month period

ATTACHMENT D
Acid Rain Permit



Missouri Department of Natural Resources
Air Pollution Control Program

TITLE IV: ACID RAIN
PERMIT

In accordance with Titles IV and V of the Clean Air Act and Missouri State Rule 10 CSR 10-6.270, *Acid Rain Source Permits Required*, the State of Missouri issues this Acid Rain Permit.

Installation Name: Peno Creek Energy Center, **ORIS Code:** 7964
Project Number: 2010-08-012, **Permit Number:** OP2010-124
Unit IDs: CT1A, CT1B, CT2A, CT2B, CT3A, CT3B, CT4A, CT4B
Effective Dates: January 1, 2011 through December 31, 2015

The permit application submitted for this source, as corrected by the State of Missouri Department of Natural Resources (MDNR), Air Pollution Control Program (APCP), 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.

The number of allowances actually held by an affected source in a unit account may differ from the number allocated by the United States Environmental Protection Agency. Pursuant to 40 CFR 72.84, *Automatic permit amendment*, this does not necessitate a revision to any unit SO₂ allowance allocations identified in this permit.

These units do not combust coal and are not subject to the Nitrogen Oxides Emission Reduction Program found in 40 CFR Part 76.

This acid rain permit is effective for the five-year period shown above, per 40 CFR 72.69, *Issuance and effective date of acid rain permits*. The designated representative must submit an application for renewal of this permit no later than June 30, 2014, per 40 CFR 72.30, *Requirement to apply*, and in conjunction with the operating permit renewal application.

NOV 19 2010

Date

A handwritten signature in black ink, appearing to read "C. Stapp for J.K.", written over a horizontal line.

Director or Designee,
Department of Natural Resources

Acid Rain - Page 2

Plant Name (from Step 1) Peno Creek Energy Center

STEP 3

**Read the
standard
requirements**

Permit Requirements

- (1) The designated representative of each affected source and each affected unit at the source shall:
 - (i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
 - (ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
 - (ii) Have an Acid Rain Permit.

Monitoring Requirements

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements

- (1) The owners and operators of each source and each affected unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another affected unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Plant Name (from Step 1) Peno Creek Energy Center

Acid Rain - Page 3

**STEP 3,
Cont'd.**

Nitrogen Oxides Requirements The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements

- (1) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected unit that has excess emissions in any calendar year shall:
 - (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

- (1) Unless otherwise provided, the owners and operators of the source and each affected unit 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 prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; 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 changing the designated representative;
 - (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 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 Acid Rain Program; and,
 - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.

Plant Name (from Step 1) Peno Creek Energy Center

Step 3,
Cont'd.

Liability, Cont'd.

- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

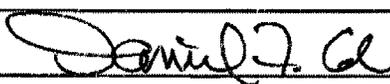
- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Certification

Read the certification statement, sign, and date

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected 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.

Name	Daniel F. Cole		
Signature		Date	8/9/10

Attachment D

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_x Trading Program*, 10 CSR 10-6.364 *Clean Air Interstate Rule Seasonal NO_x Trading Program*, and 10 CSR 10-6.366, *Clean Air Interstate Rule SO_x Trading Program*, the State of Missouri issues this CAIR Permit.

Installation Name: Peno Creek Energy Center, ORIS Code: 7964
Unit IDs: CT1A, CT1B, CT2A, CT2B, CT3A, CT3B, CT4A, CT4B

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 CT1A, CT1B, CT2A, CT2B, CT3A, CT3B, CT4A, and CT4B at Peno Creek Energy Center, plant 163-0047.

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.

Date

Director or Designee,
Department of Natural Resources

CAIR Permit Application

(for sources covered under a CAIR SIP)

Page 1

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 Peno Creek Energy Center Plant Name	MO State	7964 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 _x Annual	SO ₂	NO _x Ozone Season
CT1A	X	X	X
CT1B	X	X	X
CT2A	X	X	X
CT2B	X	X	X
CT3A	X	X	X
CT3B	X	X	X
CT4A	X	X	X
CT4B	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_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x 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_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x 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_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) that is not otherwise required to have a title V operating permit and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x 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_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) and such CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable).

Ameren Missouri Peno Creek Energy Center
Plant Name (from Step 1)

CAIR Permit Application
Page 2

**STEP 3,
continued**

(b) Monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x 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 96.

(2) The emissions measurements recorded and reported in accordance with subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96 shall be used to determine compliance by each CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) with the CAIR NO_x emissions limitation, CAIR SO₂ emissions limitation, and CAIR NO_x Ozone Season emissions limitation (as applicable) under paragraph (c) of §96.106, §96.206, and §96.306 (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_x source and each CAIR NO_x unit at the source shall hold, in the source's compliance account, CAIR NO_x 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_x units at the source, as determined in accordance with subpart HH of 40 CFR part 96.

(2) A CAIR NO_x unit shall be subject to the requirements under paragraph (c)(1) of §96.106 for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §96.170(b)(1), (2), or (5) and for each control period thereafter.

(3) A CAIR NO_x allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.106, for a control period in a calendar year before the year for which the CAIR NO_x allowance was allocated.

(4) CAIR NO_x allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Allowance Tracking System accounts in accordance with subparts FF, GG, and II of 40 CFR part 96.

(5) A CAIR NO_x allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_x Annual Trading Program. No provision of the CAIR NO_x 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_x allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EE, FF, GG, or II of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR NO_x allowance to or from a CAIR NO_x source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR NO_x unit.

Sulfur dioxide emission requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO₂ 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 SO₂ units at the source, as determined in accordance with subpart HHH of 40 CFR part 96.

(2) A CAIR SO₂ unit shall be subject to the requirements under paragraph (c)(1) of §96.206 for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under §96.270(b)(1), (2), or (5) and for each control period thereafter.

(3) A CAIR SO₂ allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.206, for a control period in a calendar year before the year for which the CAIR SO₂ allowance was allocated.

(4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with subparts FFF, GGG, and III of 40 CFR part 96.

(5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.205 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 SO₂ allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart FFF, GGG, or III of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from a CAIR SO₂ source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR SO₂ 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_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO_x 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_x Ozone Season units at the source, as determined in accordance with subpart HHHH of 40 CFR part 96.

(2) A CAIR NO_x Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of §96.306 for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §96.370(b)(1), (2), (3) or (7) and for each control period thereafter.

(3) A CAIR NO_x Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.306, for a control period in a calendar year before the year for which the CAIR NO_x Ozone Season allowance was allocated.

(4) CAIR NO_x Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Ozone Season Allowance Tracking System accounts in accordance with subparts FFFF, GGGG, and IIII of 40 CFR part 96.

(5) A CAIR NO_x allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_x Ozone Season Trading Program. No provision of the CAIR NO_x Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.305 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_x allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EEEE, FFFF, GGGG, or IIII of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR NO_x Ozone Season allowance to or from a CAIR NO_x Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

Ameren Missouri Peno Creek Energy Center
Plant Name (from Step 1)

CAIR Permit Application
Page 3

**STEP 3,
continued**

(d) Excess emissions requirements.

If a CAIR NO_x source emits nitrogen oxides during any control period in excess of the CAIR NO_x emissions limitation, then:

(1) The owners and operators of the source and each CAIR NO_x unit at the source shall surrender the CAIR NO_x 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 SO₂ source emits sulfur dioxide during any control period in excess of the CAIR SO₂ emissions limitation, then:

(1) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ 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_x Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NO_x Ozone Season emissions limitation, then:

(1) The owners and operators of the source and each CAIR NO_x Ozone Season unit at the source shall surrender the CAIR NO_x 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_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x 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_x unit, CAIR SO₂ unit, and CAIR NO_x 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_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x 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_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable) or to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) at the source shall submit the reports required under the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x 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_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) and each NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) shall meet the requirements of the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable).

(2) Any provision of the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable) that applies to a CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) or the CAIR designated representative of a CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) shall also apply to the owners and operators of such source and of the CAIR NO_x units, CAIR SO₂ units, and CAIR NO_x Ozone Season units (as applicable) at the source.

(3) Any provision of the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable) that applies to a CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) or the CAIR designated representative of a CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) shall also apply to the owners and operators of such unit.

Ameren Missouri Peno Creek Energy Center
Plant Name (from Step 1)

CAIR Permit Application
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**STEP 3,
continued**

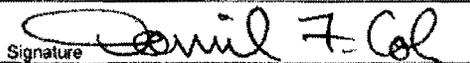
(g) Effect on Other Authorities.

No provision of the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x 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_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) or CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x 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.

Daniel F. Cole
Name

Signature 

April 19, 2012
Date

STATEMENT OF BASIS

Permit Reference Documents

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

- 1) Part 70 Operating Permit Application, received June 24, 2011;
- 2) 2010 Emissions Inventory Questionnaire, received April 29, 2011; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.
- 4) U.S. EPA's Factor Information Retrieval (FIRE) Date System 6.25 Construction Permit 112001-007, Issued November 16, 2001
- 5) Alternative Monitoring and Testing Protocol Letter from U.S. EPA to Michael Menne, dated May 31, 2002

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 10-6.220 *Restriction of Emission of Visible Air Particles*

The turbines are not subject to this rule because the rule does not apply to internal combustion engines. [10 CSR 10-6.220(1)(A)]

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

This rule does not apply because the installation qualifies for the exemption in 10 CSR 10-6.260(1)(A) since 10 CSR 10-6.070 applies and places limits on emissions of sulfur dioxide.

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

The requirements of this rule do not apply to sources that are implementing the requirements of 10 CSR 10-6.364. [10 CSR 10-6.350(1)(F)]

10 CSR 10-6.360, *Control of NO_x Emissions from Electric Generating Units and Nonelectric Generating Boilers*

The permittee qualifies for the exemption in 6.360(1)(C), since these units have a federally enforceable condition restricting them to burning only natural gas or fuel oil.

10 CSR 10-6.368, *Control of Mercury Emissions from Electric Generating Units*

This rule applies to coal fired boilers and stationary, coal fired combustion turbines. The turbines at the installation use natural gas and fuel oil exclusively. Therefore this rule does not apply. [10 CSR 10-6.368(1)(A)1]

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

This rule does not apply because the turbines burn natural gas and diesel which are excluded from process weight:

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)(A)]

Construction Permit Revisions

- 1) Construction Permit 112001-007, Issued November 16, 2001

This construction permit was issued for the installation of four dual fired Pratt Whitney FT 8 Twin Pacs and a 1.3 million gallon fuel oil storage tank. The permit contains special conditions which are applied in Permit Condition (CT1A through CT4B)-001.

The construction permit required that deviations/exceedances be reported within ten days. During the review of the previous operating permit the permittee requested 30 days instead, stating it takes them more than ten days to fully investigate the causes of a deviation and report on it. The APCP saw no reason not to extend the limit to 30 days and this limit has been carried over into this operating permit.

Special Conditions 10 through 13 contain provisions for performance testing. These are one time requirements and were not included in the Operating Permit because they have been satisfied. In July 2002, compliance testing was performed at this installation. The test was accepted by the Air Pollution Control Program on November 26, 2002. The testing established the following emission factors for VOC, PM₁₀, and formaldehyde. These emission factors shall be used for reporting emissions of VOC, PM₁₀, and formaldehyde.

Natural Gas Fired Emission Factors						
Unit Tested	PM ₁₀		VOC		Formaldehyde*	
	Lb/hr	Lb/MMBtu	Lb/hr	Lb/MMBtu	Lb/hr	Lb/MMBtu
2A	2.89	0.0125	2.1	0.0095	<0.16	<0.00067
2B	2.55	0.0102	0.81	0.0082	<0.18	<0.00073
Twin Pac 2	5.44	N/A	2.91	N/A	<0.34	N/A
Facility Total	21.76	N/A	11.64	N/A	<1.36	N/A

*All formaldehyde samples were below the detection limit. Therefore, formaldehyde emission rates must be considered the maximum possible values, rather than actual quantifications.

Fuel Oil Fired Emission Factors				
Unit Tested	PM ₁₀		VOC	
	Lb/hr	Lb/MMBtu	Lb/hr	Lb/MMBtu
3A	12.73	0.051	0.05	0.0006
3B	12.3	0.052	0.05	0.0006
Twin Pac	25.03	N/A	0.1	N/A
Facility Total	100.12	N/A	0.4	N/A

New Source Performance Standards (NSPS) Applicability

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

1) NO_x Limitations

The nitrogen oxides (NO_x) emission limit established in New Source Review Permit 112001-007 supersedes the NO_x emission limit established in Subpart GG. Calculations demonstrate that the NO_x emission limit is lower than the Subpart GG NO_x Emission Limit. The combustion turbines are subject to the requirements of §60.332(a)(1) of 40 CFR Part 60 Subpart GG. However, since the NO_x emission standard of Subpart GG (152 ppmv when burning natural gas at 15% O₂ dry basis as determined by §60.332(a)(1)) is less stringent than the NO_x emission limit imposed by New Source Review Permit 112001-007, the NSPS §60.332(a)(1) standard is not listed as a permit condition to these units. Compliance with the NO_x limit imposed by the New Source Review permit will assure compliance with the §60.332(a)(1) standard.

Per 40 CFR 60.332(b), stationary gas turbines with a heat input load equal to or greater than 107.2 gigajoules per hour (100 MMBtu/hr) have a NO_x limit determined by the following equation:

$$STD = 0.0075 \times \frac{14.4}{Y}$$

Where:

STD = allowable NO_x emissions (% by volume at 15 percent oxygen and on a dry basis), and
 Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt-hour.

Given: Manufacturer's Rated Heat Rate = 10,000 Btu/kW-hr

$$Y = 10,000 \frac{Btu}{kW - hr} \times \frac{1.0548 kJ}{Btu} \times \frac{1 kW}{1000 W} = 10.548 \frac{kJ}{W - hr}$$

F = NO_x emission allowance for fuel bound nitrogen as defined in the following table:

Fuel Bound Nitrogen	
% By Weight	F (NO _x percent by volume)
N < 0.015	0
0.015 < N < 0.25	0.04N
0.1 < N < 0.25	0.04 + 0.0067(N - 0.1)
N > 0.25	0.005

N = the nitrogen content of the fuel (percent by weight)

$F = 0.005$ (Given that nitrogen percent by weight of natural gas ranges from 0.6 - 5.0%)

STD (NO_x Emission Limitation) Calculation

$$\begin{aligned} STD &= 0.0075 \times \frac{14.4}{Y} + F \\ &= 0.0075 \times \frac{14.4}{10.548} + 0.005 \\ &= 0.0152\% \text{ or } 152 \text{ ppmv NO}_x \text{ at } 15\% \text{ oxygen} \end{aligned}$$

The New Source Review Permit limitation of 25 ppmv of NO_x is less than the NSPS limitation of 152 ppmv NO_x. Therefore, because the installation meets the permit limitation of 25 ppmv NO_x limitation, the limitation contained within Subpart GG is also satisfied.

2) SO_x Limitations

The sulfur oxides (SO_x) emission limit established in New Source Review Permit #112001-007 supersedes the SO_x emission limit established in Subpart GG. The New Source Review Permit requires the installation to use fuel with 0.05% sulfur content or less. The NSPS requires a sulfur content of 0.8% or less. Therefore, compliance with the New Source Review Permit limitation assures compliance with the limitation in Subpart GG.

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

The largest tank has a capacity of 1.3 million gallons. This regulation does not apply to storage vessels with a capacity greater than or equal to 39,890 gallons storing a liquid with a maximum true vapor pressure less than 3.5 kilopascals (kPa). Fuel oil vapor pressure is significantly less than 3.5 kPa.

The rule does not apply to the other tanks at the facility because they are all smaller than 19,813 gallons which is the smallest tank size covered by this subpart.

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

This rule only applies to turbines that commenced construction after February 18, 2005. The turbines at the installation were constructed in 2001.

Maximum Achievable Control Technology (MACT) Applicability

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

This rule only applies to major sources of HAP. Due to CO and NO_x emission limits the facility is indirectly limited to below major HAP emissions. The estimated potential emission of formaldehyde is 1.4 tons per year.

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 federally enforceable permit conditions from a construction permit limit the emissions from the units to below major source thresholds.

Greenhouse Gas Emissions

On May 13, 2010, EPA issued the GHG Tailoring Rule which set the major source threshold for CO₂e to be 100,000 tons per year within 40 CFR Part 70. As of July 1, 2011, all Title V operating permits are required to include GHG emissions. Potential emissions of greenhouse gases (CO₂e) for this installation are calculated to be 34,431 tons, classifying the installation as a minor source of GHGs.

Should the installation's actual emissions exceed the 25,000 metric ton threshold, it would be subject to 40 CFR Part 98 - *Mandatory Greenhouse Gas Reporting Rule*. In addition, Missouri regulations do not require the installation to report CO₂ emissions in their Missouri Emissions Inventory Questionnaire; therefore, the installation's actual CO₂ emissions were not included within this permit.

Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tons/yr)
CO	25.63
CO ₂ e	34,431
HAP	0.32
NO _x	100
PM ₁₀	42.77
PM _{2.5}	2.06
SO _x	14.69
VOC	44.22

Other Regulatory Determinations

The permit application listed 10 CSR 10-5.300 as an applicable requirement. This rule only applies to St. Charles, St. Louis, Jefferson, and Franklin counties. The installation is located in Pike County therefore this rule is not included in the permit.

40 CFR Part 97 *Cross-State Air Pollution Rule (CSAPR)*:

- ♦ On December 30, 2011, the United States Court of Appeals for the D.C. Circuit issued its [ruling](#) to stay the CSAPR pending judicial review. The court's decision is not a decision on the merits of the rule.
- ♦ On January 10, 2012, EPA returned the vintage 2012 CAIR allowances to allowance accounts. Additional allocations of 2012 allowances will be done as soon as the allocation files are submitted to EPA by the states. If market participants wish to use the CAMD Business System to record transfers of the CSAPR allowances or to record other CSAPR related information, they may do so although they are not required to at this time.

- ◆ On January 26, 2012, EPA signed a [notice](#), which will be published in the Federal Register, indicating that the Agency will not require compliance with the CSAPR [supplemental rule](#) while the stay is in effect. EPA finalized the supplemental rule on December 15, 2011 to include Missouri in the ozone season NO_x program in the CSAPR.
- ◆ On February 7, 2012, EPA issued two sets of minor adjustment to the CSAPR. The adjustments provide flexibility to states by increasing budgets in seventeen states and easing limits on market-based compliance options.

For the latest information on the implementation of CSAPR visit:

<http://www.epa.gov/crossstaterule/bulletins.html>

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

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

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

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

Prepared by:

Colin Janssen
Environmental Engineer

CERTIFIED MAIL: 70093410000193530432
RETURN RECEIPT REQUESTED

Mr. Michael L. Menne
Ameren Services
1901 Chouteau Avenue
P.O. Box 66149, MC 602
St. Louis, MO 63166-6149

Re: Peno Creek Energy Center, 163-0047
Permit Number: **OP2012-031**

Dear Mr. Menne:

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

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.078.16 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 do not hesitate to contact Colin Janssen at the Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102, or by telephone at (573) 751-4817. Thank you for your time and attention to this matter.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:cjk

Enclosures

c: Northeast Regional Office
PAMS File: 2011-06-074