

## PART 70 PERMIT TO OPERATE

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

**Operating Permit Number:** OP2018-041  
**Expiration Date:** MAY 21 2023  
**Installation ID:** 099-0016  
**Project Number:** 2015-02-041

**Installation Name and Address**

Ameren Missouri Rush Island Energy Center  
100 Big Hollow Road  
Festus, MO 63028  
Jefferson County

**Parent Company's Name and Address**

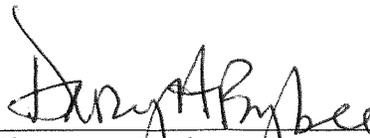
Ameren Corporation  
1901 Choteau Avenue  
St. Louis MO, 63103

**Installation Description:**

Ameren Missouri Rush Island Energy Center is a power plant that converts the energy from coal and other fuels to produce steam that powers electrical generating equipment. There are two tangentially fired coal boilers on site. The installation has coal unloading, conveying, stockpiles and pulverizing equipment to supply the coal fired boilers. The installation also operates an auxiliary distillate oil fired boiler. The facility is a major source of CO, NO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, VOC, HAP, Hydrogen Flouride (7664-39-3), Hydrogen Chloride (7647-01-0), and Formaldehyde (50-00-0).



Prepared by  
Alana L. Hess, P.E.  
Operating Permit Unit



Director or Designee  
Department of Natural Resources

**MAY 21 2018**

Effective Date

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## I. Installation Equipment Listing

### EMISSION UNITS WITH LIMITATIONS

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

Emission Source	Description	Applicable Requirement
B-1	Boiler 1, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5,922 MMBtu/hr (design rating), ESP, low NO <sub>x</sub> burners, over-fire air, activated carbon injection, SO <sub>2</sub> CEMS, NO <sub>x</sub> CEMS, Hg CEMS, PM CEMS	10 CSR 10-6.260, 10 CSR 10-6.261, Acid Rain Program, CAIR, CSAPR, MACT UUUUU, Voluntary Condition
B-2	Boiler 2, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5,922 MMBtu/hr (design rating), ESP, low NO <sub>x</sub> burners, over-fire air, activated carbon injection, SO <sub>2</sub> CEMS, NO <sub>x</sub> CEMS, Hg CEMS, PM CEMS	
B-5	Auxiliary Boiler, distillate fuel oil-fired, installed 2017, 155 MMBtu/hr (design rating), COMS	Construction Permit 072017-020, NSPS Db, MACT DDDDD, 10 CSR 10-6.261
MH-1	Bucket Feed Barge Unloader, 4,000 tph, 2001, wet suppression	Construction Permit 012001-021
MH-2	Enclosed Conveyor, 4,000 tph, 2001, wet suppression	
MH-3	Enclosed Conveyor, 4,000 tph, 2001, wet suppression	
M-4	Silo Fill Dust Removal System, 1971, 1,050 tph	10 CSR 10-6.220
P-1	Parts Washers	10 CSR 10-5.300
B-4	Emergency Diesel Generator, 1340 HP, compression ignition, 2004	10 CSR 10-6.260, 10 CSR 10-6.261, CP012004-007, MACT ZZZZ
R-1	1,000 gallon Above Ground Gasoline Tank, 1971	10 CSR 10-5.220
IC-1	Emergency Diesel Fire Pump Engine, 210 HP, compression ignition, 2003	10 CSR 10-6.260, 10 CSR 10-6.261, MACT ZZZZ
PAC-1	PAC Silo #1, 0.19 tph, 2013	10 CSR 10-6.220
PAC-2	PAC Silo #2, 0.19 tph, 2013	10 CSR 10-6.220
M-20	Fly Ash Handling (Collection and Transfer), 28 tph, fabric filters	No Construction Permit Required Determination 2002-05-058, 10 CSR 10-6.220
M-21	(3) Fly Ash Storage Silos, 28 tph, bin vent filters	
M-22	Fly Ash Tanker Loading, 28 tph, fabric filters	
M-23	Fly Ash Transfer to Long Term Storage, 28 tph, fabric filters	

**EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS**

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

<b>Emission Source</b>	<b>Description</b>
M-2	Coal Storage Pile, 1971, 1,050 tph, 23 Acres
TK-1	200,000 gallon Fuel Oil Storage Tank
TK-2	15,000 gallon Fuel Oil Storage Tank
TK-3 & TK-4	(2) 12,000 gallon Lube Oil Tanks
TK-5	16,000 gallon Lube Oil Tank
TK-6 & TK-7	(2) 7,000 gallon Main Turbine Lube Oil Reservoirs
TK-8, TK-9, TK-10, & TK-11	(4) 650 gallon Boiler Feed Pump Oil Reservoirs
TK-12	600 gallon Diesel Tank, 2004
TK-13	550 gallon Diesel Fuel Oil Tank
TK-14	300 gallon Fuel Oil Tank for Diesel Fire Pump
TK-15	100 gallon Kerosene Tank
HR	Haul Roads
M-1	Coal Unloading, 1971, 1,050 tph
M-3	Coal Transfer & Conveying, 1971, 1,050 tph
M-5	Coal Pile Stackout, 1971, 1,050 tph
M-6	Coal Unloading – Barge, 1971, 1,050 tph

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

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

None.

### III. Emission Unit Specific Emission Limitations

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

<b>PERMIT CONDITION 001</b>		
10 CSR 10-6.372 Cross-State Air Pollution Rule Annual NO <sub>x</sub> Trading Allowance Allocations 10 CSR 10-6.374 Cross-State Air Pollution Rule Ozone Season NO <sub>x</sub> Trading Allowance Allocations 10 CSR 10-6.376 Cross-State Air Pollution Rule Annual SO <sub>2</sub> Trading Allowance Allocations 40 CFR Part 97, Subparts AAAAA, CCCCC, and EEEEE		
<b>Emission Source</b>	<b>Description</b>	<b>Manufacturer/Model No.</b>
B-1	Boiler 1, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NO <sub>x</sub> burners, over-fire air, activated carbon injection, NO <sub>x</sub> CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/ CE#7770
B-2	Boiler 2, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NO <sub>x</sub> burners, over-fire air, activated carbon injection, NO <sub>x</sub> CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/ CE#1771

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

<b>Parameter</b>	<b>CEMS requirements pursuant to 40 CFR Part 75, Subpart B (for SO<sub>2</sub> monitoring) and 40 CFR Part 75, Subpart H (for NO<sub>x</sub> monitoring)</b>	<b>Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR Part 75, Appendix D</b>	<b>Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR Part 75, Appendix E</b>	<b>Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to §75.19</b>	<b>EPA-approved alternative monitoring system requirements pursuant to 40 CFR Part 75, Subpart E</b>
SO <sub>2</sub>	B-1 & B-2	N/A	N/A	N/A	N/A
NO <sub>x</sub>	B-1 & B-2	N/A	N/A	N/A	N/A
Heat Input	B-1 & B-2	N/A	N/A	N/A	N/A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under §97.624(a) in an amount not less than the tons of total SO<sub>2</sub> emissions for such control period from all CSAPR SO<sub>2</sub> Group 1 units at the source. [§97.606(c)(1)(i)]
- ii) If total SO<sub>2</sub> emissions during a control period in a given year from the CSAPR SO<sub>2</sub> Group 1 units at a CSAPR SO<sub>2</sub> Group 1 source are in excess of the CSAPR SO<sub>2</sub> Group 1 emissions limitation set forth in §97.606(c)(1)(i), then: [§97.606(c)(1)(ii)]
  - (1) The permittee shall hold the CSAPR SO<sub>2</sub> Group 1 allowances required for deduction under §97.624(d); and [§97.606(c)(1)(ii)(A)]
  - (2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR Part 97, Subpart CCCCC and the Clean Air Act. [§97.606(c)(1)(ii)(B)]

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

- i) If total SO<sub>2</sub> emissions during a control period in a given year from all CSAPR SO<sub>2</sub> Group 1 units at CSAPR SO<sub>2</sub> Group 1 sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO<sub>2</sub> emissions during such control period exceeds the common designated representative's assurance level for Missouri and such control period, shall hold (in the assurance account established for the permittee of such group) CSAPR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under §97.625(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.625(b), of multiplying— [§97.606(c)(2)(i)]
  - (1) The quotient of the amount by which the common designated representative's share of such SO<sub>2</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative's share of such SO<sub>2</sub> emissions exceeds the respective common designated representative's assurance level; and [§97.606(c)(2)(i)(A)]
  - (2) The amount by which total SO<sub>2</sub> emissions from all CSAPR SO<sub>2</sub> Group 1 units at CSAPR SO<sub>2</sub> Group 1 sources in Missouri for such control period exceed the state assurance level. [§97.606(c)(2)(i)(B)]
- ii) The permittee shall hold the CSAPR SO<sub>2</sub> Group 1 allowances required under §97.606(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.606(c)(2)(ii)]
- iii) Total SO<sub>2</sub> emissions from all CSAPR SO<sub>2</sub> Group 1 units at CSAPR SO<sub>2</sub> Group 1 sources in Missouri during a control period in a given year exceed the state assurance level if such total

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

- the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.606(c)(6)(ii)]
- g) *Property right.* A CSAPR SO<sub>2</sub> Group 1 allowance does not constitute a property right. [§97.606(c)(7)]
4. *Title V permit revision requirements.* [§97.606(d)]
- a) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO<sub>2</sub> Group 1 allowances in accordance with 40 CFR Part 97, Subpart CCCCC. [§97.606(d)(1)]
- b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to §§97.630 through 97.635, and the requirements for a CEMS (pursuant to 40 CFR Part 75, Subpart B), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to §75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with this paragraph and §70.7(e)(2)(i)(B). [§97.606(d)(2)]
5. *Additional recordkeeping and reporting requirements.* [§97.606(e)]
- a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the Administrator. [§97.606(e)(1)]
- i) The certificate of representation under §97.616 for the designated representative for the source and each CSAPR SO<sub>2</sub> Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.616 changing the designated representative. [§97.606(e)(1)(i)]
- ii) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart CCCCC. [§97.606(e)(1)(ii)]
- iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO<sub>2</sub> Group 1 Trading Program. [§97.606(e)(1)(iii)]
- b) The designated representative of a CSAPR SO<sub>2</sub> Group 1 source and each CSAPR SO<sub>2</sub> Group 1 unit at the source shall make all submissions required under the CSAPR SO<sub>2</sub> Group 1 Trading Program, except as provided in §97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [§97.606(e)(2)]
6. *Liability.* [§97.606(f)]
- a) Any provision of the CSAPR SO<sub>2</sub> Group 1 Trading Program that applies to a CSAPR SO<sub>2</sub> Group 1 source or the designated representative of a CSAPR SO<sub>2</sub> Group 1 source shall also apply to the permittee. [§97.606(f)(1)]
- b) Any provision of the CSAPR SO<sub>2</sub> Group 1 Trading Program that applies to a CSAPR SO<sub>2</sub> Group 1 unit or the designated representative of a CSAPR SO<sub>2</sub> Group 1 unit shall also apply to the permittee. [§97.606(f)(2)]
7. *Effect on other authorities.* No provision of the CSAPR SO<sub>2</sub> Group 1 Trading Program or exemption under §97.605 shall be construed as exempting or excluding the permittee, and the designated

representative, from compliance with any other provision of Missouri’s state implementation plan, a federally enforceable permit, or the Clean Air Act. [§97.606(g)]

<b>PERMIT CONDITION 002</b>		
10 CSR 10-6.075 Maximum Achievable Control Technology Regulations 40 CFR Part 63, Subpart UUUUU – National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units		
<b>Emission Source</b>	<b>Description</b>	<b>Manufacturer/Model No.</b>
B-1	Boiler 1, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/ CE#7770
B-2	Boiler 2, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/ CE#1771

**Applicability:**

B-1 Boiler 1 and B-2 Boiler 2 meet the definition of a coal-fired EGU within §63.10042. The boilers are classified as existing coal-fired EGU and affected sources per §63.9982(a)(1). The boilers combust coal with a heat content in excess of 8,300 Btu/lb meeting the requirements for the subcategory of non-low rank virgin coal in §63.9990(a)(1).

**Emission Limitations and Work Practice Standards:**

1. The permittee shall meet the following requirements at all times: [§63.9991(a)]
  - a) The permittee shall meet each emission limit and work practice standard in Tables 2 and 3 of MACT UUUUU that applies, except as provided under §63.10009. [§63.9991(a)(1)]
2. As provided in §63.6(g), the Administrator may approve use of an alternative to the work practice standards in §63.9991. [§63.9991(b)]

**Table 2 to MACT UUUUU – Emission Limits for Existing EGUs**

As stated in §63.9991, the permittee shall comply with the following applicable emission limits:

<b>EGU Subcategory</b>	Coal-fired unit not low rank virgin coal.	
<b>Pollutants</b>	<b>Emission Limit</b>	<b>Using these requirements, as appropriate (e.g., specified sampling volume or test run duration) and limitations with the test methods in Table 5 of MACT UUUUU...</b>
Filterable PM	0.03 lb/MMBtu or 0.3 lb/MWh <sup>1</sup>	Collect a minimum of 1 dscm per run.
Hydrogen Chloride (HCl)	0.002 lb/MMBtu or 0.02 lb/MWh	For Method 26A at NSPS Appendix A-8, collect a minimum of 0.75 dscm per run; for Method 26, collect a minimum of 120 liters per run. For ASTM D6348-03 <sup>2</sup> or Method 320 at MACT Appendix A, sample for a minimum of 1 hour.
Hg	1.2 lb/TBtu or 0.013 lb/GWh	LEE Testing for 30 days with a sampling period consistent with that given in Section 5.2.1 of MACT UUUUU Appendix A per Method 30B at NSPS Appendix A-8 or Hg CEMS or sorbent trap monitoring system only.

<sup>1</sup> Gross output.

<sup>2</sup> Incorporated by reference, see §63.14.

**Table 3 to MACT UUUUU – Work Practice Standards**

As stated in §63.9991, the permittee shall comply with the following applicable work practice standards:

EGU	Work Practice Standards
Existing EGU	Conduct a tune-up of the EGU burner and combustion controls at least each 36 calendar months, or each 48 calendar months if neural network combustion optimization software is employed, as specified in §63.10021(e).
Coal-fired EGU during startup	<p>a. The permittee shall operate all CMS during startup. Startup means either the first-ever firing of fuel in a boiler for the purpose of producing electricity, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the steam from the boiler is used to generate electricity for sale over the grid or for any other purpose (including on site use). For startup of a unit, the permittee shall use clean fuels as defined in §63.10042 for ignition. Once the permittee converts to firing coal, the permittee shall engage all of the applicable control technologies except dry scrubber and SCR. The permittee shall start the dry scrubber and SCR systems, if present, appropriately to comply with relevant standards applicable during normal operation. The permittee shall comply with all applicable emissions limits at all times except for periods that meet the applicable definitions of startup and shutdown in MACT UUUUU. The permittee shall keep records during startup periods. The permittee shall provide reports concerning activities and startup periods, as specified in §63.10011(g) and §63.10021(h) and (i).</p> <p>d. The permittee shall collect monitoring data during startup periods, as specified in §63.10020(a) and (e). The permittee shall keep records during startup periods, as provided in §§63.10032 and 63.10021(h). The permittee shall provide reports concerning activities and startup periods, as specified in §§63.10011(g), 63.10021(i), and 63.10031.</p>
Coal-fired EGU during shutdown	The permittee shall operate all CMS during shutdown. The permittee shall also collect appropriate data, and the permittee shall calculate the pollutant emission rate for each hour of shutdown for those pollutants for which a CMS is used. While firing coal during shutdown, the permittee shall vent emissions to the main stack(s) and operate all applicable control devices and continue to operate those control devices after the cessation of coal being fed into the EGU and for as long as possible thereafter considering operational and safety concerns. In any case, the permittee shall operate the controls when necessary to comply with other standards made applicable to the EGU by a permit limit or a rule other than MACT UUUUU and that require operation of the control devices. If, in addition to the fuel used prior to initiation of shutdown, another fuel must be used to support the shutdown process shall be used to the maximum extent possible, taking into account considerations such as not compromising boiler or control device integrity. The permittee shall comply with all applicable emission limits at all times except during startup periods and shutdown periods at which time the permittee shall meet this work practice. The permittee shall collect monitoring data during shutdown periods, as specified in §63.10020(a). The permittee shall keep records during shutdown periods, as provided in §§63.10032 and 63.10021(h). Any fraction of an hour in which shutdown occurs constitutes a full hour of shutdown. The permittee shall provide reports concerning activities and shutdown periods, as specified in §§63.10011(g), 63.10021(i), and 63.10031.

**General Requirements:**

1. The permittee shall be in compliance with the emission limits in MACT UUUUU. These limits apply at all times except during periods of startup and shutdown; however, for coal-fired EGUs, the permittee is required to meet the work practice requirements in Table 3 of MACT UUUUU during periods of startup or shutdown. [§63.10000(a)]
2. At all times the permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [§63.10000(b)]
3. The permittee shall develop a site-specific monitoring plan. This requirement to develop a site-specific monitoring plan does not apply to affected sources with existing monitoring plans that apply to CEMS and CPMS prepared under NSPS Appendix B or 40 CFR Part 75, and that meet the

- requirements of §63.10010. Using the process described in §63.8(f)(4), the permittee may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in this paragraph and, if approved, include those in the site-specific monitoring plan. The monitoring plan shall address the provisions in §63.10000(d)(2) through (5). [§63.10000(d)(1)]
4. The site-specific monitoring plan shall include the information specified in §63.10000(d)(5)(i) through (d)(5)(vii). Alternatively, the requirements of §63.10000(d)(5)(i) through (d)(5)(vii) are considered to be met for a particular CMS if: [§63.10000(d)(2)]
    - a) The CMS is installed, certified, maintained, operated, and quality-assured either according to 40 CFR Part 75, or MACT UUUUU Appendix A or B; and [§63.10000(d)(2)(i)]
    - b) The recordkeeping and reporting requirements of 40 CFR Part 75, or MACT UUUUU Appendix A or B, that pertain to the CMS are met. [§63.10000(d)(2)(ii)]
  5. If requested by the Director, the permittee shall submit the monitoring plan (or relevant portion of the plan) at least 60 days before the initial performance evaluation of a particular CMS, except where the CMS has already undergone a performance evaluation that meets the requirements of §63.10010 (e.g., if the CMS was previously certified under another program). [§63.10000(d)(3)]
  6. The permittee shall operate and maintain the CMS according to the site-specific monitoring plan. [§63.10000(d)(4)]
  7. The provisions of the site-specific monitoring plan shall address the following items: [§63.10000(d)(5)]
    - a) Installation of the CMS sampling probe or other interface at a measurement location relative to each affected process unit such that the measurement is representative of control of the exhaust emissions (e.g., on or downstream of the last control device). See §63.10010(a) for further details. [§63.10000(d)(5)(i)]
    - b) Performance and equipment specifications for the sample interface, the pollutant concentration signal analyzer, and the data collection and reduction systems. [§63.10000(d)(5)(ii)]
    - c) Schedule for conducting initial and periodic performance evaluations. [§63.10000(d)(5)(iii)]
    - d) Performance evaluation procedures and acceptance criteria (e.g., calibrations), including the quality control program in accordance with the general requirements of §63.8(d). [§63.10000(d)(5)(iv)]
    - e) On-going operation and maintenance procedures, in accordance with the general requirements of §§63.8(c)(1)(ii), (c)(3), and (c)(4)(ii). [§63.10000(d)(5)(v)]
    - f) Conditions that define a CMS that is out of control consistent with §63.8(c)(7)(i) and for responding to out of control periods consistent with §§63.8(c)(7)(ii) and (c)(8). [§63.10000(d)(5)(vi)]
    - g) On-going recordkeeping and reporting procedures, in accordance with the general requirements of §§63.10(c), (e)(1), and (e)(2)(i), or as specifically required under MACT UUUUU. [§63.10000(d)(5)(vii)]
  8. As part of the demonstration of continuous compliance, the permittee shall perform periodic tune-ups of the EGU(s), according to §63.10021(e). [§63.10000(e)]
  9. The permittee shall install, certify, operate, maintain, and quality assure each monitoring system necessary for demonstrating compliance with the work practice standards for PM during startup periods and shutdown periods. The permittee shall collect, record, report, and maintain data obtained from these monitoring systems during startup periods and shutdown periods. [§63.10000(l)]

**Subsequent Performance Tests and Tune-ups:**

1. The permittee shall conduct all applicable periodic HCl emissions tests according to Table 5 to MACT UUUUU and §63.10007 at least quarterly, except as otherwise provided in §63.10021(d)(1). [§63.10006(d)]
2. Time between performance tests. [§63.10006(f)]
  - a) Notwithstanding the provisions of §63.10021(d)(1), the requirements listed in §63.10006(g) and (h), and the requirements of §63.10006(f)(3), the permittee shall complete performance tests for each EGU as follows: [§63.10006(f)(1)]
    - i) At least 45 calendar days, measured from the test's end date, shall separate performance tests conducted every quarter; [§63.10006(f)(1)(i)]
    - b) For units demonstrating compliance through quarterly emission testing, the permittee shall conduct a performance test in the 4th quarter of a calendar year if the EGU has skipped performance tests in the first three quarters of the calendar year. [§63.10006(f)(2)]
    - c) If an EGU misses a performance test deadline due to being inoperative and if 168 or more boiler operating hours occur in the next test period, the permittee shall complete an additional performance test in that period as follows: [§63.10006(f)(3)]
      - i) At least 15 calendar days shall separate two performance tests conducted in the same quarter. [§63.10006(f)(3)(i)]
3. The permittee shall conduct a performance tune-up according to §63.10021(e). [§63.10006(i)]
  - a) For EGUs not employing neural network combustion optimization during normal operation, each performance tune-up specified in §63.10021(e) shall be no more than 36 calendar months after the previous performance tune-up. [§63.10006(i)(1)]
  - b) For EGUs employing neural network combustion optimization systems during normal operation, each performance tune-up specified in §63.10021(e) shall be no more than 48 calendar months after the previous performance tune-up. [§63.10006(i)(2)]

**Table 5 to MACT UUUUU – Performance Testing Requirements**

As stated in § 63.10007, the permittee shall comply with the following requirements for performance testing for existing affected sources<sup>3</sup>

<b>To conduct a performance test for Filterable PM Using PM CEMS the permittee shall perform the following activities, as applicable to the input- or output-based emission limit...</b>	<b>Using...<sup>4</sup></b>
Install, certify, operate, and maintain the PM CEMS	Performance Specification 11 at NSPS Appendix B and Procedure 2 at NSPS Appendix F.
Install, certify, operate, and maintain the diluent gas, flow rate, and/or moisture monitoring systems	40 CFR Part 75 and §63.10010(a), (b), (c), and (d)
Convert hourly emissions concentrations to 30 boiler operating day rolling average lb/MMBtu or lb/MWh emissions rates	Method 19 F-factor methodology at NSPS Appendix A-7 or calculate using mass emissions rate and gross output data (see §63.10007(e)).

<sup>3</sup> Regarding emissions data collected during periods of startup or shutdown, see §63.10020(b) and (c) and §63.10021(h).

<sup>4</sup> See Table 2 to MACT UUUUU for required sample volumes and/or sampling run times.

<b>To conduct a performance test for HCl Using Emissions Testing the permittee shall perform the following activities, as applicable to the input- or output-based emission limit...</b>	<b>Using...<sup>5</sup></b>
Select sampling ports location and the number of traverse points.	Method 1 at NSPS Appendix A-1.
Determine velocity and volumetric flow-rate of the stack gas	Method 2, 2A, 2C, 2F, 2G or 2H at NSPS Appendix A-1 or A-2.
Determine O <sub>2</sub> and CO <sub>2</sub> concentrations of the stack gas	Method 3A or 3B at NSPS Appendix A-2 or ANSI/ASME PTC 19.10-1981. <sup>6</sup>
Measure the moisture content of the stack gas	Method 4 at NSPS Appendix A-3.
Measure the HCl emissions concentration	Method 26 or Method 26A at NSPS Appendix A-8 or Method 320 at MACT Appendix A or ASTM 6348-033 with (1) the following conditions when using ASTM D6348-03: (A) The test plan preparation and implementation in the Annexes to ASTM D6348-03, Sections A1 through A8 are mandatory; (B) For ASTM D6348-03 Annex A5 (Analyte Spiking Technique), the percent (%) R shall be determined for each target analyte (see Equation A5.5); (C) For the ASTM D6348-03 test data to be acceptable for a target analyte, %R shall be $70\% \geq R \leq 130\%$ ; and (D) The %R value for each compound shall be reported in the test report and all field measurements corrected with the calculated %R value for that compound using the following equation: $\text{Reported Result} = \frac{(\text{Measured Concentration in Stack})}{\%R} \times 100$ (2) spiking levels nominally no greater than two times the level corresponding to the applicable emission limit. Method 26A shall be used if there are entrained water droplets in the exhaust stream.
Convert emissions concentration to lb/MMBtu or lb/MWh emissions rates	Method 19 F-factor methodology at NSPS Appendix A-7 or calculate using mass emissions rate and gross output data (see §63.10007(e)).
<b>To conduct a performance test for Hg Using Hg CEMS the permittee shall perform the following activities, as applicable to the input- or output-based emission limit...</b>	<b>Using...<sup>7</sup></b>
Install, certify, operate, and maintain the CEMS	Sections 3.2.1 and 5.1 of MACT UUUUU Appendix A.
Install, certify, operate, and maintain the diluent gas, flow rate, and/or moisture monitoring systems	40 CFR Part 75 and §63.10010(a), (b), (c), and (d).
Convert hourly emissions concentrations to 30 boiler operating day rolling average lb/TBtu or lb/GWh emissions rates	Section 6 of MACT UUUUU Appendix A.

**Test Methods and Procedures:**

1. Except as otherwise provided in §63.10007, the permittee shall conduct all required performance tests according to §63.7(d), (e), (f), and (h). The permittee shall also develop a site-specific test plan according to the requirements in §63.7(c). [§63.10007(a)]

<sup>5</sup> See Table 2 to MACT UUUUU for required sample volumes and/or sampling run times.

<sup>6</sup> Incorporated by reference, see §63.14.

<sup>7</sup> See Table 2 to MACT UUUUU for required sample volumes and/or sampling run times.

- a) For Filterable PM and Hg: The permittee shall collect quality- assured CEMS data for all unit operating conditions, including startup and shutdown (see §63.10011(g) and Table 3 to MACT UUUUU), except as otherwise provided in §63.10020(b). Emission rates determined during startup periods and shutdown periods (as defined in §63.10042) are not to be included in the compliance determinations, except as otherwise provided in §§63.10000(c)(1)(vi)(B) and 63.10005(a)(2)(iii). [§63.10007(a)(1)]
- b) For HCl: Operate the unit at maximum normal operating load conditions during each periodic (e.g., quarterly) performance test. Maximum normal operating load will be generally between 90 and 110 percent of design capacity but should be representative of site specific normal operations during each test run. [§63.10007(a)(2)]
2. The permittee shall conduct each performance test (including traditional three-run stack tests and 30-boiler operating day tests based on CEMS data) according to the requirements in Table 5 to MACT UUUUU. [§63.10007(b)]
3. For HCl: The permittee shall conduct a minimum of three separate test runs for each performance test, as specified in §63.7(e)(3). Each test run shall comply with the minimum applicable sampling time or volume specified in Table 2 to MACT UUUUU. For Filterable PM and Hg: §63.10005(d) and (h), respectively, provide special instructions for conducting performance tests based on CEMS. [§63.10007(d)]
4. To use the results of performance testing to determine compliance with the applicable emission limits in Table 2 to MACT UUUUU, proceed as follows: [§63.10007(e)]
  - a) For HCl: If measurement results are reported as below the method detection level (e.g., laboratory analytical results for one or more sample components are below the method defined analytical detection level), the permittee shall use the method detection level as the measured emissions level in calculating compliance. [§63.10007(e)(1)]
  - b) If the limits are expressed in lb/MMBtu or lb/TBtu, the permittee use the F-factor methodology and equations in sections 12.2 and 12.3 of EPA Method 19 in NSPS Appendix A-7. In cases where an appropriate F-factor is not listed in Table 19-2 of Method 19, the permittee may use F-factors from Table 1 in section 3.3.5 of 40 CFR Part 75 Appendix F, or F-factors derived using the procedures in section 3.3.6 of 40 CFR Part 75 Appendix F. Use the following factors to convert the pollutant concentrations measured during the initial performance tests to units of lb/scf, for use in the applicable Method 19 equations: [§63.10007(e)(2)]
    - i) Multiply HCl ppm by  $9.43 \times 10^{-8}$ ; [§63.10007(e)(2)(ii)]
    - ii) Multiply Hg concentrations ( $\mu\text{g}/\text{scm}$ ) by  $6.24 \times 10^{-11}$ . [§63.10007(e)(2)(v)]
  - c) To determine compliance with emission limits expressed in lb/MWh or lb/GWh, the permittee shall first calculate the pollutant mass emission rate during the performance test, in units of lb/h. For Hg use Equation A-2 or A-3 in MACT UUUUU Appendix A. In all other cases, use an equation that has the general form of Equation A-2 or A-3, replacing the value of K with  $6.24 \times 10^{-8}$  lb-scm/mg-scf for HCl, and defining Ch as the average HCl concentration in ppm. This calculation requires stack gas volumetric flow rate (scfh) and (in some cases) moisture content data (see §§63.10005(h)(3) and 63.10010). Then, if the applicable emission limit is in units of lb/GWh, use Equation A-4 in MACT UUUUU Appendix A to calculate the pollutant emission rate in lb/GWh. In this calculation, define (M)h as the calculated pollutant mass emission rate for the performance test (lb/h), and define (MW)h as the average electrical load during the performance test (megawatts). If the applicable emission limit is in lb/MWh rather than lb/GWh, omit the  $10^3$  term from Equation A-4 to determine the pollutant emission rate in lb/MWh. [§63.10007(e)(3)]

5. For Filterable PM and Hg: The following default values are available for use in the emission rate calculations during startup periods or shutdown periods (as defined in §63.10042). For the purposes of this subpart, these default values are not considered to be substitute data. [§63.10007(f)]
  - a) Diluent cap values. The permittee may use the following diluent cap values for a startup or shutdown hour in which the measured CO<sub>2</sub> concentration is below the cap value or the measured O<sub>2</sub> concentration is above the cap value: [§63.10007(f)(1)]
    - i) The permittee may use 5% for CO<sub>2</sub> or 14% for O<sub>2</sub>. [§63.10007(f)(1)(ii)]
  - b) Default gross output. The following default value is available for use in the emission rate calculations during startup periods or shutdown periods (as defined in §63.10042). For the purposes of MACT UUUUU, this default value is not considered to be substitute data. For a startup or shutdown hour in which there is heat input to an affected EGU but zero gross output, the permittee shall calculate the pollutant emission rate using a value equivalent to 5% of the maximum sustainable gross output, expressed in megawatts, as defined in section 6.5.2.1(a)(1) of 40 CFR Part 75 Appendix A. This default gross output is either the nameplate capacity of the EGU or the highest gross output observed in at least four representative quarters of EGU operation. [§63.10007(f)(2)]
6. Upon request, the permittee shall make available to the Director such records as may be necessary to determine whether the performance tests have been done according to the requirements of §63.10007. [§63.10007(g)]

**Monitoring, Installation, Operation, and Maintenance:**

1. For the CEMS used to provide data under MACT UUUUU, the continuous monitoring system installation requirements are as follows: [§63.10010(a)]
  - a) *Single unit-single stack configurations.* For an affected unit that exhausts to the atmosphere through a single, dedicated stack, the permittee shall either install the required CEMS in the stack or at a location in the ductwork downstream of all emissions control devices, where the pollutant and diluents concentrations are representative of the emissions that exit to the atmosphere. [§63.10010(a)(1)]
2. If the permittee uses an O<sub>2</sub> or CO<sub>2</sub> CEMS to convert measured pollutant concentrations to the units of the applicable emissions limit, the O<sub>2</sub> or CO<sub>2</sub> concentrations shall be monitored at a location that represents emissions to the atmosphere, *i.e.*, at the outlet of the EGU, downstream of all emission control devices. The permittee shall install, certify, maintain, and operate the CEMS according to 40 CFR Part 75. Use only quality-assured O<sub>2</sub> or CO<sub>2</sub> data in the emissions calculations; do not use 40 CFR Part 75 substitute data values. [§63.10010(b)]
3. If the permittee is required to use a stack gas flow rate monitor to convert pollutant concentrations to units of an electrical output-based emission standard in Table 2 to MACT UUUUU, the permittee shall install, certify, operate, and maintain the monitoring system and conduct on-going quality-assurance testing of the system according to 40 CFR Part 75. Use only unadjusted, quality-assured flow rate data in the emissions calculations. Do not apply bias adjustment factors to the flow rate data and do not use substitute flow rate data in the calculations. [§63.10010(c)]
4. If the permittee is required to make corrections for stack gas moisture content when converting pollutant concentrations to the units of an emission standard in Table 2 to MACT UUUUU, the permittee shall install, certify, operate, and maintain a moisture monitoring system in accordance with 40 CFR Part 75. Alternatively, the permittee may use appropriate fuel-specific default moisture values from §75.11(b) to estimate the moisture content of the stack gas. If the permittee installs and operates a moisture monitoring system, do not use substitute moisture data in the emissions calculations. [§63.10010(d)]

5. If the permittee uses a Hg CEMS, the permittee shall install, certify, operate, maintain and quality-assure the data from the monitoring system in accordance with MACT UUUUU Appendix A. The permittee shall calculate and record a 30-boiler operating day rolling average Hg emission rate, in units of the standard, updated after each new boiler operating day. Each 30-boiler operating day rolling average emission rate, calculated according to §6.2 of MACT UUUUU Appendix A, is the average of all of the valid hourly Hg emission rates in the preceding 30-boiler operating days. [§63.10010(g)]
6. If the permittee chooses to comply with the PM filterable emissions limit in lieu of metal HAP limits, the permittee may choose to install, certify, operate, and maintain a PM CEMS and record the output of the PM CEMS as specified in §63.10010(i)(1) through (5). The compliance limit shall be expressed as a 30-boiler operating day rolling average of the numerical emissions limit value applicable for the unit in Table 2 to MACT UUUUU. [§63.10010(i)]
  - a) Install and certify the PM CEMS according to the procedures and requirements in Performance Specification 11—*Specifications and Test Procedures for PM CEMS at Stationary Sources* in NSPS Appendix B, using Method 5 at NSPS Appendix A–3 and ensuring that the front half filter temperature shall be  $160^{\circ} \pm 14^{\circ}\text{C}$  ( $320^{\circ} \pm 25^{\circ}\text{F}$ ). The reportable measurement output from the PM CEMS shall be expressed in units of the applicable emissions limit (e.g., lb/MMBtu, lb/MWh). [§63.10010(i)(1)]
  - b) Operate and maintain the PM CEMS according to the procedures and requirements in Procedure 2 — *Quality Assurance Requirements for PM CEMS at Stationary Sources* in NSPS Appendix F. [§63.10010(i)(2)]
    - i) The permittee shall conduct the relative response audit (RRA) for the PM CEMS at least once annually. [§63.10010(i)(2)(i)]
    - ii) The permittee shall conduct the relative correlation audit (RCA) for the PM CEMS at least once every three years. [§63.10010(i)(2)(ii)]
  - c) Collect PM CEMS hourly average output data for all boiler operating hours except as indicated in §63.10010(i). [§63.10010(i)(3)]
  - d) Calculate the arithmetic 30-boiler operating day rolling average of all of the hourly average PM CEMS output data collected during all nonexempt boiler operating hours. [§63.10010(i)(4)]
  - e) The permittee shall collect data using the PM CEMS at all times the process unit is operating and at the intervals specified in §63.10010(a), except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities. [§63.10010(i)(5)]
    - i) The permittee shall use all the data collected during all boiler operating hours in assessing the compliance with the operating limit except: [§63.10010(i)(5)(i)]
      - (1) Any data collected during monitoring system malfunctions, repairs associated with monitoring system malfunctions, or required monitoring system quality assurance or quality control activities that temporarily interrupt the measurement of emissions (e.g., calibrations, certain audits). The permittee shall report any monitoring system malfunctions or out of control periods in the annual deviation reports. The permittee shall report any monitoring system quality assurance or quality control activities per the requirements of §63.10031(b). [§63.10010(i)(5)(i)(A)]
      - (2) Any data collected during periods when the monitoring system is out of control as specified in the site-specific monitoring plan, repairs associated with periods when the monitoring system is out of control, or required monitoring system quality assurance or quality control activities conducted during out-of-control periods. The permittee shall report any such periods in the annual deviation report; [§63.10010(i)(5)(i)(B)]

- (3) Any data recorded during periods of startup or shutdown. [§63.10010(i)(5)(i)(C)]
- ii) The permittee shall record and make available upon request results of PM CEMS system performance audits, dates and duration of periods when the PM CEMS is out of control to completion of the corrective actions necessary to return the PM CEMS to operation consistent with the site-specific monitoring plan. [§63.10010(i)(5)(ii)]

**Monitoring and Data Collection:**

1. The permittee shall monitor and collect data according to §63.10020 and the site-specific monitoring plan required by §63.10000(d). [§63.10020(a)]
2. The permittee shall operate the monitoring system and collect data at all required intervals at all times that the affected EGU is operating, except for periods of monitoring system malfunctions or out-of-control periods (see §63.8(c)(7)), and required monitoring system quality assurance or quality control activities, including, as applicable, calibration checks and required zero and span adjustments. The permittee is required to affect monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable. [§63.10020(b)]
3. The permittee may not use data recorded during EGU startup or shutdown in calculations used to report emissions, except as otherwise provided in §§63.10000(c)(1)(vi)(B) and 63.10005(a)(2)(iii)/ In addition, data recorded during monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, or required monitoring system quality assurance or control activities may not be used in calculations used to report emissions or operating levels. The permittee shall use all the quality-assured data collected during all other periods in assessing the operation of the control device and associated control system. [§63.10020(c)]
4. Except for periods of monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, and required monitoring system quality assurance or quality control activities including, as applicable, calibration checks and required zero and span adjustments), failure to collect required data is a deviation from the monitoring requirements. [§63.10020(d)]

**Demonstrating Continuous Compliance:**

1. The permittee shall demonstrate continuous compliance with each emissions limit and work practice standard in Tables 2 and 3 to MACT UUUUU that applies, according to the monitoring specified in Table 7 to MACT UUUUU and §63.10021(b) through (g). [§63.10021(a)]
2. Except as otherwise provided in §63.10020(c), if the permittee uses a CEMS to measure PM or Hg emissions, the permittee shall demonstrate continuous compliance by using all quality-assured hourly data recorded by the CEMS and the other required monitoring systems (e.g., flow rate, CO<sub>2</sub>, O<sub>2</sub>, or moisture systems) to calculate the arithmetic average emissions rate in units of the standard on a continuous 30-boiler operating day rolling average basis, updated at the end of each boiler operating day. Use Equation 8 to determine the 30-boiler operating day rolling average.

$$\text{Boiler operating day average} = \frac{\sum_{i=1}^n \text{Her}_i}{n} \text{ Equation 8}$$

Where:

Her<sub>i</sub> is the hourly emissions rate for hour i and n is the number of hourly emissions rate values collected over 30-boiler operating days. [§63.10021(b)]

3. If the permittee uses quarterly performance testing to demonstrate compliance with one or more applicable emissions limits in Table 2 to MACT UUUUU, the permittee: [§63.10021(d)]
  - a) May skip performance testing in those quarters during which less than 168 boiler operating hours occur, except that a performance test shall be conducted at least once every calendar year. [§63.10021(d)(1)]
  - b) Shall conduct the performance test as defined in Table 5 to MACT UUUUU and calculate the results of the testing in units of the applicable emissions standard. [§63.10021(d)(2)]
4. Conduct periodic performance tune-ups of the EGU(s), as specified in §63.10021(e)(1) through (9), For the first tune-up, the permittee may perform the burner inspection any time prior to the tune-up or the permittee may delay the first burner inspection until the next scheduled EGU outage provided the permittee meets the requirements of §63.10005. Subsequently, the permittee shall perform an inspection of the burner at least once every 36 calendar months unless the EGU employs neural network combustion optimization during normal operations in which case the permittee shall perform an inspection of the burner and combustion controls at least once every 48 calendar months. If the EGU is offline when a deadline to perform the tune-up passes, the permittee shall perform the tune-up work practice requirements within 30 days after the re-start of the affected unit. [§63.10021(e)]
  - a) As applicable, inspect the burner and combustion controls, and clean or replace any components of the burner or combustion controls as necessary upon initiation of the work practice program and at least once every required inspection period. Repair of a burner or combustion control component requiring special order parts may be scheduled as follows: [§63.10021(e)(1)]
    - i) Burner or combustion control component parts needing replacement that affect the ability to optimize NO<sub>x</sub> and CO shall be installed within three calendar months after the burner inspection, [§63.10021(e)(1)(i)]
    - ii) Burner or combustion control component parts that do not affect the ability to optimize NO<sub>x</sub> and CO may be installed on a schedule determined by the operator; [§63.10021(e)(1)(ii)]
  - b) As applicable, inspect the flame pattern and make any adjustments to the burner or combustion controls necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available, or in accordance with best combustion engineering practice for that burner type; [§63.10021(e)(2)]
  - c) As applicable, observe the damper operations as a function of mill and/or cyclone loadings, cyclone and pulverizer coal feeder loadings, or other pulverizer and coal mill performance parameters, making adjustments and effecting repair to dampers, controls, mills, pulverizers, cyclones, and sensors; [§63.10021(e)(3)]
  - d) As applicable, evaluate windbox pressures and air proportions, making adjustments and effecting repair to dampers, actuators, controls, and sensors; [§63.10021(e)(4)]
  - e) Inspect the system controlling the air-to-fuel ratio and ensure that it is correctly calibrated and functioning properly. Such inspection may include calibrating excess O<sub>2</sub> probes and/or sensors, adjusting overfire air systems, changing software parameters, and calibrating associated actuators and dampers to ensure that the systems are operated as designed. Any component out of calibration, in or near failure, or in a state that is likely to negate combustion optimization efforts prior to the next tune-up, should be corrected or repaired as necessary; [§63.10021(e)(5)]
  - f) Optimize combustion to minimize generation of CO and NO<sub>x</sub>. This optimization should be consistent with the manufacturer's specifications, if available, or best combustion engineering practice for the applicable burner type. NO<sub>x</sub> optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, adjusting combustion zone temperature profiles, and add-on

controls such as SCR and SNCR; CO optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, and adjusting combustion zone temperature profiles;

[§63.10021(e)(6)]

- g) While operating at full load or the predominantly operated load, measure the concentration in the effluent stream of CO and NO<sub>x</sub> in ppmv and O<sub>2</sub> in volume percent, before and after the tune-up adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). The permittee may use portable CO, NO<sub>x</sub> and O<sub>2</sub> monitors for this measurement. EGU's employing neural network optimization systems need only provide a single pre- and post-tune-up value rather than continual values before and after each optimization adjustment made by the system; [§63.10021(e)(7)]
  - h) Maintain on-site and submit, if requested by the Director, an annual report containing the information in §63.10021(e)(1) through (e)(9) including: [§63.10021(e)(8)]
    - i) The concentrations of CO and NO<sub>x</sub> in the effluent stream in ppmv, and O<sub>2</sub> in volume percent, measured before and after an adjustment of the EGU combustion systems; [§63.10021(e)(8)(i)]
    - ii) A description of any corrective actions taken as a part of the combustion adjustment; and [§63.10021(e)(8)(ii)]
    - iii) The type(s) and amount(s) of fuel used over the 12 calendar months prior to an adjustment, but only if the unit was physically and legally capable of using more than one type of fuel during that period; and [§63.10021(e)(8)(iii)]
  - i) Report the dates of the initial and subsequent tune-ups in accordance with §63.10031(f). [§63.10021(e)(9)]
5. The permittee shall submit the reports required under §63.10031 and the reports required under MACT UUUUU Appendix A. The electronic reports required by MACT UUUUU Appendix A shall be sent to the Administrator electronically in a format prescribed by the Administrator, as provided in §63.10031. CEMS data (except for PM CEMS) shall be submitted using EPA's Emissions Collection and Monitoring Plan System (ECMPS) Client Tool. Other data, including PM CEMS data and CEMS performance test detail reports, shall be submitted in the file format generated through use of EPA's Electronic Reporting Tool, the Compliance and Emissions Data Reporting Interface, or alternate electronic file format, all as provided for under §63.10031. [§63.10021(f)]
6. The permittee shall report each instance in which the permittee did not meet an applicable emissions limit or operating limit in Tables 2 and 3 to MACT UUUUU or failed to conduct a required tune-up. These instances are deviations from the requirements of MACT UUUUU. These deviations shall be reported according to §63.10031. [§63.10021(g)]
7. The permittee shall follow the startup or shutdown requirements as given in Table 3 to MACT UUUUU for each coal-fired EGU. [§63.10021(h)]
- a) The permittee may use the diluent cap and default gross output values, as described in §63.10007(f), during startup periods or shutdown periods. [§63.10021(h)(1)]
  - b) The permittee shall operate all CMS, collect data, calculate pollutant emission rates, and record data during startup periods or shutdown periods. [§63.10021(h)(2)]
  - c) The permittee shall report the information as required in §63.10031. [§63.10021(h)(3)]
  - d) The permittee may choose to submit an alternative non-opacity emission standard, in accordance with the requirements contained in §63.10011(g)(4). Until promulgation in the Federal Register of the final alternative non-opacity emission standard, the permittee shall comply with paragraph (1) of the definition of "startup" in §63.10042. [§63.10021(h)(4)]

8. The permittee shall provide reports as specified in §63.10031 concerning activities and periods of startup and shutdown. [§63.10021(i)]

**Table 7 to MACT UUUUU – Demonstrating Continuous Compliance**

As stated in §63.10021, the permittee shall show continuous compliance with the emission limitations for affected sources according to the following:

Method of Compliance	Continuous Compliance Demonstration
CEMS to measure filterable PM or Hg emissions	Calculate the 30-boiler operating day rolling arithmetic average emissions rate in units of the applicable emissions standard basis at the end of each boiler operating day using all of the quality assured hourly average CEMS data for the previous 30-boiler operating days, excluding data recorded during periods of startup or shutdown
Quarterly performance testing for coal-fired EGUs to measure compliance with one or more applicable emissions limit in Table 2 to MACT UUUUU	Calculate the results of the testing in units of the applicable emissions standard
Conducting periodic performance tune-ups of the EGU(s)	Conduct periodic performance tune-ups of the EGU(s), as specified in §63.10021(e)
Work practice standards for coal-fired EGUs during startup	Operate in accordance with Table 3 to MACT UUUUU
Work practice standards for coal-fired EGUs during shutdown	Operate in accordance with Table 3 to MACT UUUUU

**Notifications:**

1. The permittee shall submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (6), and 63.9(b) through (h) that apply by the dates specified. [§63.10030(a)]
2. When the permittee is required to conduct a performance test, the permittee shall submit a Notification of Intent to conduct a performance test at least 30 days before the performance test is scheduled to begin. [§63.10030(d)]

**Reporting:**

1. The permittee shall submit each report in Table 8 to MACT UUUUU that applies. If the permittee is required to (or elects to) continuously monitor Hg emissions, the permittee shall also submit the electronic reports required under MACT UUUUU Appendix A, at the specified frequency. [§63.10031(a)]
2. Unless the Director has approved a different schedule for submission of reports under §63.10(a), the permittee shall submit each report by the date in Table 8 to MACT UUUUU and according to the requirements in §63.10031(b)(1) through (5). [§63.10031(b)]
  - a) Each compliance report shall cover the semiannual reporting period from January 1<sup>st</sup> through June 30<sup>th</sup> or the semiannual reporting period from July 1<sup>st</sup> through December 31<sup>st</sup>. [§63.10031(b)(3)]
  - b) Each compliance report shall be postmarked or submitted electronically no later than July 31<sup>st</sup> or January 31<sup>st</sup>, whichever date is the first date following the end of the semiannual reporting period. [§63.10031(b)(4)]
  - c) For each affected source that is subject to permitting regulations pursuant to 40 CFR Part 70, and if the permitting authority has established dates for submitting semiannual reports pursuant to §70.6(a)(3)(iii)(A), the permittee may submit the compliance reports according to the dates the

- permitting authority has established instead of according to the dates in §63.10031(b)(1) through (4). [§63.10031(b)(5)]
3. The compliance report shall contain information in §63.10031(c)(1) through (9). [§63.10031(c)]
    - a) The information required by the summary report located in §63.10(e)(3)(vi). [§63.10031(c)(1)]
    - b) The total fuel use by each affected source subject to an emission limit, for each calendar month within the semiannual reporting period, including, but not limited to, a description of the fuel, whether the fuel has received a non-waste determination by EPA or the basis for concluding that the fuel is not a waste, and the total fuel usage amount with units of measure. [§63.10031(c)(2)]
    - c) Indicate whether the permittee burned new types of fuel during the reporting period. If the permittee did burn new types of fuel the permittee shall include the date of the performance test where that fuel was in use. [§63.10031(c)(3)]
    - d) Include the date of the most recent tune-up for EGU. The date of the tune-up is the date the tune-up provisions specified in §63.10021(e)(6) and (7) were completed. [§63.10031(c)(4)]
    - e) A certification. [§63.10031(c)(8)]
    - f) If the permittee had a deviation from any emission limit or work practice standard, the permittee shall also submit a brief description of the deviation, the duration of the deviation, emissions point identification, and the cause of the deviation. [§63.10031(c)(9)]
  4. For each excess emissions occurring at an affected source where the permittee is using a CMS to comply with that emission limit, the permittee shall include the information required in §63.10(e)(3)(v) in the compliance report specified in §63.10031(c). [§63.10031(d)]
  5. Each affected source that has obtained a Title V operating permit pursuant to 40 CFR Part 70 shall report all deviations as defined in MACT UUUUU in the semiannual monitoring report required by §70.6(a)(3)(iii)(A). If an affected source submits a compliance report pursuant to Table 8 to MACT UUUUU along with, or as part of, the semiannual monitoring report required by §70.6(a)(3)(iii)(A), and the compliance report includes all required information concerning deviations from any emission limit or work practice requirement in MACT UUUUU, submission of the compliance report satisfies any obligation to report the same deviations in the semiannual monitoring report. Submission of a compliance report does not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. [§63.10031(e)]
  6. Within 60 days after the date of completing each performance test, the permittee shall submit the performance test reports required by MACT UUUUU to EPA as specified in §63.10031(f) and (f)(6). Performance test data shall be submitted in the file format specified by EPA at §63.10031(f) and (f)(6), as applicable. [§63.10031(f) and §63.10031(f)(6)]
    - a) Within 60 days after the date of completing each CEMS (PM and Hg) performance evaluation test, as defined in §63.2 and required by MACT UUUUU, the permittee shall submit the relative accuracy test audit (RATA) data (or, for PM CEMS, RCA and RRA data) required by MACT UUUUU to EPA as specified in §63.10031(f)(1) and (f)(6). The RATA data shall be submitted in the file format specified by EPA at §63.10031(f)(1) and (f)(6). The permittee shall submit calibration error testing, drift checks, and other information required in the performance evaluation as described in §63.2 and as required in chapter 40 of the CFR. [§63.10031(f)(1) and §63.10031(f)(6)]
    - b) For a PM CEMS, within 60 days after the reporting periods ending on March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup>, and December 31<sup>st</sup>, the permittee shall submit quarterly reports to EPA as specified in §63.10031(f)(2) and (f)(6), as applicable. The permittee shall submit the reports in the formats specified by EPA at §63.10031(f)(2) and (f)(6). For each reporting period, the quarterly reports shall include all of the calculated 30-boiler operating day rolling average values derived from the CEMS. [§63.10031(f)(2) and §63.10031(f)(6)]

- c) Reports for a Hg CEMS and any supporting monitors for such systems (such as a diluent or moisture monitor) shall be submitted as specified in §63.10031(f)(4) and (f)(6), as provided for in MACT UUUUU Appendix A and §63.10021(f). [§63.10031(f)(3) and §63.10031(f)(6)]
  - d) The permittee shall submit the compliance reports required under §63.10031(c) and (d) and the notification of compliance status required under §63.10030(e) to EPA as specified in §63.10031(f)(4) and (f)(6). The permittee shall submit the reports and notification of compliance status in the formats specified by EPA at §63.10031(f)(4) and (f)(6), as applicable. [§63.10031(f)(4) and §63.10031(f)(6)]
  - e) All reports required by MACT UUUUU not subject to the requirements in §63.10031(f) introductory text and §63.10031(f)(1) through (4) shall be sent to the Administrator at the appropriate address listed in §63.13. If acceptable to both the Administrator and the permittee, these reports may be submitted on electronic media. The Administrator retains the right to require submittal of reports subject to §63.10031(f) introductory text and §63.10031(f)(1) through (4) in paper format. [§63.10031(f)(5)]
7. If the permittee had a malfunction during the reporting period, the compliance report shall include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. [§63.10031(g)]

**Table 8 to MACT UUUUU – Reporting Requirements**

As stated in §63.10031, the permittee shall comply with the following requirements for reports:

Report	Contents	Frequency
Compliance report	a. Information required in §63.10031(c)(1) through (9) and b. If there are no deviations from any emission limitation that applies and there are no deviations from the requirements for work practice standards in Table 3 to MACT UUUUU that apply, a statement that there were no deviations from the emission limitations and work practice standards during the reporting period. If there were no periods during which the CMSs, including CEMSs, and operating parameter monitoring systems, were out-of-control as specified in §63.8(c)(7), a statement that there were no periods during which the CMSs were out-of-control during the reporting period; and c. If the permittee had a deviation from any emission limitation or work practice standard during the reporting period, the report shall contain the information in §63.10031(d). If there were periods during which the CMSs, including CEMSs, were out-of-control, as specified in §63.8(c)(7), the report shall contain the information in §63.10031(e)	Semiannually according to the requirements in §63.10031(b)

**Recordkeeping:**

- 1. The permittee shall retain records according to §63.10032(a)(1) and (2). If the permittee is required to (or elects to) continuously monitor Hg emissions, the permittee shall also retain the records required under MACT UUUUU Appendix A and/or Appendix B. [§63.10032(a)]
  - a) A copy of each notification and report that the permittee submitted to comply with MACT UUUUU, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that the permittee submitted, according to the requirements in §63.10(b)(2)(xiv). [§63.10032(a)(1)]
  - b) Records of performance stack tests, fuel analyses, or other compliance demonstrations and performance evaluations, as required in §63.10(b)(2)(viii). [§63.10032(a)(2)]

2. For each CEMS, the permittee shall keep records according to §63.10032(b)(1) through (4).  
[§63.10032(b)]
  - a) Records described in §63.10(b)(2)(vi) through (xi). [§63.10032(b)(1)]
  - b) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in §63.8(d)(3). [§63.10032(b)(2)]
  - c) Request for alternatives to relative accuracy test for CEMS as required in §63.8(f)(6)(i). [§63.10032(b)(3)]
  - d) Records of the date and time that each deviation started and stopped, and whether the deviation occurred during a period of startup, shutdown, or malfunction or during another period. [§63.10032(b)(4)]
3. The permittee shall retain the records required in Table 7 to MACT UUUUU including records of all monitoring data and calculated averages to show continuous compliance with each emission limit that applies. [§63.10032(c)]
4. For each EGU subject to an emission limit, the permittee shall also retain the records in §63.10032(d)(1) through (3). [§63.10032(d)]
  - a) The permittee shall retain records of monthly fuel use by each EGU, including the type(s) of fuel and amount(s) used. [§63.10032(d)(1)]
  - b) If the permittee combusts non-hazardous secondary materials that have been determined not to be solid waste pursuant to §241.3(b)(1), the permittee shall retain a record which documents how the secondary material meets each of the legitimacy criteria. If the permittee combusts a fuel that has been processed from a discarded non-hazardous secondary material pursuant to §241.3(b)(2), the permittee shall retain records as to how the operations that produced the fuel satisfies the definition of processing in §241.2. If the fuel received a non-waste determination pursuant to the petition process submitted under §241.3(c), the permittee shall retain a record which documents how the fuel satisfies the requirements of the petition process. [§63.10032(d)(2)]
5. Regarding startup periods or shutdown period: [§63.10032(f)]
  - a) Should the permittee choose to rely on paragraph (1) of the definition of “startup” in §63.10042 for the EGU, the permittee shall retain records of the occurrence and duration of each startup or shutdown. [§63.10032(f)(1)]
6. The permittee shall retain records of the occurrence and duration of each malfunction of an operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment. [§63.10032(g)]
7. The permittee shall retain records of actions taken during periods of malfunction to minimize emissions in accordance with §63.10000(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [§63.10032(h)]
8. The permittee shall retain records of the type(s) and amount(s) of fuel used during each startup or shutdown. [§63.10032(i)]
9. The records shall be in a form suitable and readily available for expeditious review, according to §63.10(b)(1). [§63.10033(a)]
10. As specified in §63.10(b)(1), the permittee shall retain each record for five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§63.10033(b)]
11. The permittee shall retain each record on site for at least two years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). The permittee may retain the records off site for the remaining three years. [§63.10033(c)]
12. Records shall be retained in either hard copy or electronic form.
13. These records shall be made available for inspection to the Department of Natural Resources’ personnel upon request. [§70.6(a)(3)(ii)]

**General Provisions:**

The permittee shall refer to Table 9 to MACT UUUUU for MACT A applicability.

<b>PERMIT CONDITION 003</b>		
10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds <sup>8</sup>		
<b>Emission Source</b>	<b>Description</b>	<b>Manufacturer/Model No.</b>
B-1	Boiler 1, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/CE#7770
B-2	Boiler 2, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/CE#1771

**Emission Limitations:**

1. The permittee shall not cause or permit the emissions of SO<sub>2</sub> to the atmosphere in an amount greater than 2.3 pounds of SO<sub>2</sub> per MMBtu of actual heat input averaged on any consecutive three-hour time period. [10 CSR 10-6.260(3)(B)3.A(I)]
2. The permittee may emit SO<sub>2</sub> at a rate not to exceed the allowable rate by more than 20 percent for not more than three days in any one month. [10 CSR 10-6.260(3)(B)3.A(IV)]

**Monitoring/Recordkeeping:**

1. The permittee shall demonstrate compliance with the emission limitations using an SO<sub>2</sub> CEMS. The SO<sub>2</sub> CEMS shall be certified by the permittee as being installed and operational in accordance with Performance Specifications 2 and 3 of NSPS Appendix B. The SO<sub>2</sub> CEMS shall be operated and maintained in accordance with the procedures and standards set out at §60.13(d) and (e)(2). [10 CSR 10-6.260(3)(B)3.A(V)]
2. The permittee shall maintain a file of the following: [10 CSR 10-6.260(4)(B)]
  - a) All information reported in the quarterly reports; [10 CSR 10-6.260(4)(B)1]
  - b) All other data collected by the SO<sub>2</sub> CEMS or necessary to convert the monitoring data to the units of the emission limit. [10 CSR 10-6.260(4)(B)2]
  - c) All SO<sub>2</sub> CEMS performance evaluations; [10 CSR 10-6.260(4)(B)3]
  - d) All SO<sub>2</sub> CEMS calibration checks; [10 CSR 10-6.260(4)(B)4]
  - e) Monitoring system, monitoring device, and performance testing measurements; and [10 CSR 10-6.260(4)(B)5]
  - f) Adjustments and maintenance performed on these systems or devices. [10 CSR 10-6.260(4)(B)6]
3. All records shall be maintained for five years and shall be made available for inspection to the Department of Natural Resources upon request. [§70.6(a)(3)(ii)]

<sup>8</sup> This regulation was rescinded by the State of Missouri on November 30, 2015. The regulation remains in this operating permit as it is contained in Missouri’s SIP and remains an applicable federal requirement. This is a federal only requirement. This permit condition will no longer be applicable when EPA takes final action to incorporate 10 CSR 10-6.261 in Missouri’s SIP in place of 10 CSR 10-6.260. No action is required on the part of the permittee to remove this permit condition from this operating permit upon incorporation of 10 CSR 10-6.261 into Missouri’s SIP.

**Reporting:**

1. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]
2. The permittee shall submit a written report to the Air Pollution Control Program’s Compliance/Enforcement Section at P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov) of excess emissions for each calendar quarter within 30 days following the end of the quarter. Each report shall: [10 CSR 10-6.260(4)(A)]
  - a) Contain the magnitude of SO<sub>2</sub> emissions as follows: [10 CSR 10-6.260(4)(A)1]
    - i) The magnitude shall be reported in pounds per MMBtu of all three-hour averages of SO<sub>2</sub> emissions greater than the emission rate. [10 CSR 10-6.260(4)(A)1.A]
  - b) Identify each period during which the SO<sub>2</sub> CEMS was inoperative, except for zero and span checks and the nature of repairs and adjustments performed to make the system operative; and [10 CSR 10-6.260(4)(A)2]
  - c) Contain a statement that no excess emissions occurred during the quarter, except as reported or during periods when the SO<sub>2</sub> CEMS was inoperative. Data reduction and conversion procedures shall conform to the provisions of §60.13(h) and §60.45(e) and (f); [10 CSR 10-6.260(4)(A)3]

<b>PERMIT CONDITION 004</b> 10 CSR 10-6.261 Control of Sulfur Dioxide Emissions <sup>9</sup>		
<b>Emission Source</b>	<b>Description</b>	<b>Manufacturer/Model No.</b>
B-1	Boiler 1, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/CE#7770
B-2	Boiler 2, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/CE#1771

**Emission Limitation:**

The permittee shall emit less than or equal to 13,600 pounds SO<sub>2</sub> per hour on a 24-hour block average from Boilers B-1 and B-2. [10 CSR 10-6.261(3)(A) and 12/1/16 Missouri Air Conservation Commission Variance]

**Compliance Method:**

1. Compliance shall be determined as follows: [10 CSR 10-6.261(3)(E)]
  - a) SO<sub>2</sub> CEMS data. [10 CSR 10-6.261(3)(E)1]
    - i) SO<sub>2</sub> CEMS shall comply with the requirements in 40 CFR Part 75 and/or NSPS Appendices B and F. [10 CSR 10-6.261(3)(E)1.B]

**Recordkeeping and Reporting:**

1. The permittee shall — [10 CSR 10-6.261(4)(A)]

<sup>9</sup> This regulation has not yet been adopted into Missouri’s SIP; therefore, this regulation is a state only requirement. Upon adoption into Missouri’s SIP this regulation will be both a state and federal requirement.

- a) Report any excess emissions other than startup, shutdown, and malfunction excess emissions already required to be reported under 10 CSR 10-6.050 to the Director<sup>10</sup> for each calendar quarter within 30 days following the end of the quarter. In all cases, the notification shall be a written report and shall include, at a minimum, the following: [10 CSR 10-6.261(4)(A)1]
    - i) Name and location of source; [10 CSR 10-6.261(4)(A)1.A]
    - ii) Name and telephone number of person responsible for the source; [10 CSR 10-6.261(4)(A)1.B]
    - iii) Identity and description of the equipment involved; [10 CSR 10-6.261(4)(A)1.C]
    - iv) Time and duration of the period of SO<sub>2</sub> excess emissions; [10 CSR 10-6.261(4)(A)1.D]
    - v) Type of activity; [10 CSR 10-6.261(4)(A)1.E]
    - vi) Estimate of the magnitude of the SO<sub>2</sub> excess emissions expressed in pounds per hour and the operating data and calculations used in estimating the magnitude; [10 CSR 10-6.261(4)(A)1.F]
    - vii) Measures taken to mitigate the extent and duration of the SO<sub>2</sub> excess emissions; and [10 CSR 10-6.261(4)(A)1.G]
    - viii) Measures taken to remedy the situation which caused the SO<sub>2</sub> excess emissions and the measures taken or planned to prevent the recurrence of these situations; [10 CSR 10-6.261(4)(A)1.H]
  - b) Maintain a list of modifications to each boiler's operating procedures or other routine procedures instituted to prevent or minimize the occurrence of any excess SO<sub>2</sub> emissions; [10 CSR 10-6.261(4)(A)2]
  - c) Maintain a record of data, calculations, results, records, and reports from any SO<sub>2</sub> emissions performance test, SO<sub>2</sub> continuous emission monitoring, fuel deliveries, and/or fuel sampling tests; and [10 CSR 10-6.261(4)(A)3]
  - d) Maintain a record of SO<sub>2</sub> monitoring data, performance evaluations, calibration checks, monitoring system and device performance tests, and any adjustments and maintenance performed on these systems or devices. [10 CSR 10-6.261(4)(A)4]
2. The permittee shall also— [10 CSR 10-6.261(4)(B)]
    - a) If SO<sub>2</sub> CEMS is already used to satisfy other requirements (other than only to demonstrate compliance with 10 CSR 10-6.261), continue to follow all correlating SO<sub>2</sub> CEMS requirements<sup>11</sup>. [10 CSR 10-6.261(4)(B)1]
  3. All required reports and records shall be retained on-site for a minimum of five years and made available within five business days upon written or electronic request by the Director. [10 CSR 10-6.261(4)(F)]
  4. The permittee shall furnish the Director all data necessary to determine compliance status. [10 CSR 10-6.261(4)(G)]
  5. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<sup>10</sup> P.O. Box 176, Jefferson City, MO 65102

<sup>11</sup> The SO<sub>2</sub> CEMS for Boilers 1 and 2 are used to satisfy the requirements of the Acid Rain Program and CSAPR.

<b>PERMIT CONDITION 005</b>		
10 CSR 10-6.270 Acid Rain Source Permits Required 40 CFR Parts 72, 73, and 75 through 78		
<b>Emission Source</b>	<b>Description</b>	<b>Manufacturer/Model No.</b>
B-1	Boiler 1, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/ CE#7770
B-2	Boiler 2, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/ CE#1771

**Requirements:**

1. The permittee shall comply with their Acid Rain Source Permit for each of the boilers pursuant to Title IV of the Clean Air Act. The installation's Acid Rain Source Permit is incorporated into this Part 70 Operating Permit as Attachment G. The Acid Rain Source Permit will remain effective as long as this Part 70 Operating Permit remains effective. [§72.30(a)]
2. The designated representative shall submit a complete Acid Rain permit application as part of their Part 70 Operating Permit renewal application.
3. The permittee shall make the Acid Rain Source Permit available to any Missouri Department of Natural Resources' personnel upon request. [§70.6(a)(3)(ii)]
4. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 006</b>		
10 CSR 10-6.362 Clean Air Interstate Rule Annual NO <sub>x</sub> Trading Program 10 CSR 10-6.364 Clean Air Interstate Rule Seasonal NO <sub>x</sub> Trading Program 10 CSR 10-6.366 Clean Air Interstate Rule SO <sub>2</sub> Trading Program 40 CFR Part 96 NO <sub>x</sub> Budget Trading Program and CAIR NO <sub>x</sub> and SO <sub>2</sub> Trading Programs For State Implementation Plans <sup>12</sup>		
Emission Source	Description	Manufacturer/Model No.
B-1	Boiler 1, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/CE#7770
B-2	Boiler 2, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/CE#1771

**Requirements:**

1. The permittee shall comply with their CAIR Permit for each of the boilers. The installation’s CAIR Permit is incorporated into this Part 70 Operating Permit as Attachment H. The CAIR Permit will remain effective as long as this Part 70 Operating Permit remains effective. [§72.30(a)]
2. The designated representative shall submit a complete CAIR Permit application as part of their Part 70 Operating Permit renewal application.
3. The permittee shall make the CAIR Permit available to any Missouri Department of Natural Resources' personnel upon request. [§70.6(a)(3)(ii)]
4. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<sup>12</sup> This permit condition is a state only requirement. EPA replaced CAIR with CSAPR as of January 1, 2015. CAIR is still an applicable state requirement as 10 CSR 10-6.362, 10 CSR 10-6.364, and 10 CSR 10-6.366 remain in Missouri’s Code of State Regulations and SIP. This permit condition will no longer be applicable if Missouri rescinds 10 CSR 10-6.362, 10 CSR 10-6.364, and 10 CSR 10-6.366 and 10 CSR 10-6.362, 10 CSR 10-6.364, and 10 CSR 10-6.366 are removed from Missouri’s approved SIP. No action is required on the part of the permittee to remove this permit condition from this operating permit upon rescission of these regulations from Missouri’s Code of State Regulation and removal of these regulations from Missouri’s approved SIP.

<b>PERMIT CONDITION 007</b>		
10 CSR 10-6.065(6)(C)2.A Voluntary Condition(s)		
Emission Source	Description	Manufacturer/Model No.
B-1	Boiler 1, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/CE#7770
B-2	Boiler 2, pulverized sub-bituminous coal, dry bottom, tangentially-fired, installed 06/18/1971, 5922 MMBtu/hr (design rating), ESP, low NOx burners, over-fire air, activated carbon injection, NOx CEMS, SO <sub>2</sub> CEMS, PM CEMS, Hg CEMS	Combustion Engineering/CE#1771

**Operational Limitation:**

The permittee shall combust less than 11.0 tons per day of municipal solid waste as defined in §60.1940.

**Monitoring/Recordkeeping:**

1. The permittee shall maintain a log of all municipal solid waste combusted using Attachment I or an equivalent form. The log shall include:
  - a) Date of acceptable material burning.
  - b) Type of acceptable material burned.
  - c) Amount (tons) of acceptable material burned.
2. These records shall be retained for at least five years and made available for inspection to Department of Natural Resources' personnel upon request. [§70.6(a)(3)(ii)]
3. Acceptable materials are listed in Section V of this permit under Reasonably Anticipated Operating Scenarios.

**Reporting:**

1. The permittee shall report to the Air Pollution Control Program's Compliance/Enforcement Section at P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov) no later than ten days after an exceedance of the operational limitation. [§70.6(a)(3)(iii)]
2. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 008</b>	
10 CSR 10-5.300 Control of Emissions From Solvent Metal Cleaning	
Emission Source	Description
P-1	(4) Cold Solvent Parts Washers

**Equipment Specifications:**

1. The permittee shall not use, sell or offer for sale for use within the City of St. Louis and St. Charles, St. Louis, Jefferson and Franklin Counties a cold cleaning solvent with a vapor pressure greater than 1.0 mmHg (0.019 psi) at 20°C (68°F) unless used for carburetor cleaning. [10 CSR 10-5.300(3)(A)1.A]
2. The permittee shall not use, sell or offer for sale for use within the City of St. Louis and St. Charles, St. Louis, Jefferson and Franklin Counties a cold cleaning solvent for the purpose of carburetor

- cleaning with a vapor pressure greater than 5.0 mmHg (0.097 psi) at 20°C (68°F). [10 CSR 10-5.300(3)(A)1.B]
3. Each cold cleaner shall have a cover which prevents the escape of solvent vapors from the solvent bath while in the closed position or an enclosed reservoir which limits the escape of solvent vapors from the solvent bath whenever parts are not being processed in the cleaner. [10 CSR 10-5.300(3)(A)1.C]
  4. The permittee may use an alternate method for reducing cold cleaning emissions if the permittee shows the level of emission control is equivalent to or greater than the requirements of 10 CSR 10-5.300(3)(A)1.A and (3)(A)1.B. This alternate method shall be approved by the Director and EPA. [10 CSR 10-5.300(3)(A)1.D]
  5. When one or more of the following conditions exist, the cover shall be designed to operate easily such that minimal disturbing of the solvent vapors in the tank occurs. (For covers larger than 10 ft<sup>2</sup>, this shall be accomplished by either mechanical assistance such as spring loading or counter weighing or by power systems): [10 CSR 10-5.300(3)(A)1.E]
    - a) The solvent vapor pressure is greater than 0.3 psi measured at 37.8°C (100°F); [10 CSR 10-5.300(3)(A)1.E(I)]
    - b) The solvent is agitated; or [10 CSR 10-5.300(3)(A)1.E(II)]
    - c) The solvent is heated. [10 CSR 10-5.300(3)(A)1.E(III)]
  6. Each cold cleaner shall have an internal drainage facility so that parts are enclosed under the cover while draining. [10 CSR 10-5.300(3)(A)1.F]
  7. If an internal drainage facility cannot fit into the cleaning system and the solvent vapor pressure is less than 0.6 psi measured at 37.8°C (100°F), then the cold cleaner shall have an external drainage facility which provides for the solvent to drain back into the solvent bath. [10 CSR 10-5.300(3)(A)1.G]
  8. Solvent sprays, if used, shall be a solid fluid stream (not a fine, atomized or shower-type spray) and at a pressure which does not cause splashing above or beyond the freeboard. [10 CSR 10-5.300(3)(A)1.H]
  9. A permanent conspicuous label summarizing the operating procedures shall be affixed to the equipment or in a location readily visible during operation of the equipment. [10 CSR 10-5.300(3)(A)1.I]
  10. Any cold cleaner which uses a solvent that has a solvent vapor pressure greater than 0.6 psi measured at 37.8°C (100°F) or heated above 48.9°C (120°F) shall use one of the following control devices: [10 CSR 10-5.300(3)(A)1.J]
    - a) A freeboard ratio of at least 0.75; [10 CSR 10-5.300(3)(A)1.J(I)]
    - b) Water cover (solvent shall be insoluble in and heavier than water); or [10 CSR 10-5.300(3)(A)1.J(II)]
    - c) Other control systems with a mass balance demonstrated overall VOC emissions reduction efficiency greater than or equal to 65%. These control systems shall receive approval from the Director and EPA prior to their use. [10 CSR 10-5.300(3)(A)1.J(III)]

**Operating Procedure Requirements:**

1. Cold cleaner covers shall be closed whenever parts are not being handled in the cleaners or the solvent shall drain into an enclosed reservoir except when performing maintenance or collecting solvent samples. [10 CSR 10-5.300(3)(B)1.A]
2. Cleaned parts shall be drained in the freeboard area for at least 15 seconds or until dripping ceases, whichever is longer. Parts having cavities or blind holes shall be tipped or rotated while the part is

- draining. During the draining, tipping or rotating, the parts shall be positioned so that the solvent drains directly back to the cold cleaner. [10 CSR 10-5.300(3)(B)1.B]
3. Whenever a cold cleaner fails to perform within the operating requirements, the unit shall be shut down immediately and shall remain shut down until operation is restored to meet the operating requirements. [10 CSR 10-5.300(3)(B)1.C]
  4. Solvent leaks shall be repaired immediately or the cold cleaner shall be shut down until the leaks are repaired. [10 CSR 10-5.300(3)(B)1.D]
  5. Any waste material removed from a cold cleaner shall be disposed of by one of the following methods or an equivalent method approved by the Director and EPA: [10 CSR 10-5.300(3)(B)1.E]
    - a) Reduction of the waste material to less than 20% VOC solvent by distillation and proper disposal of the still bottom waste; or [10 CSR 10-5.300(3)(B)1.E(I)]
    - b) Stored in closed containers for transfer to— [10 CSR 10-5.300(3)(B)1.E(II)]
      - i) A contract reclamation service; or [10 CSR 10-5.300(3)(B)1.E(II)(a)]
      - ii) A disposal facility approved by the Director and EPA. [10 CSR 10-5.300(3)(B)1.E(II)(b)]
  6. Waste solvent shall be stored in closed containers only. [10 CSR 10-5.300(3)(B)1.F]

**Operator and Supervisor Training:**

1. Only persons trained in at least the operational and equipment requirements specified for the solvent metal cleaning process shall be permitted to operate the equipment. [10 CSR 10-5.300(3)(C)1]
2. The person who supervises any person who operates the solvent cleaning equipment shall receive equal or greater operational training than the operator. [10 CSR 10-5.300(3)(C)2]
3. A procedural review shall be given to all solvent metal cleaning equipment operators at least once each 12 months. [10 CSR 10-5.300(3)(C)3]
4. Training records shall be maintained per subsections 10 CSR 10-5.300(4)(D) and (4)(E). [10 CSR 10-5.300(3)(C)4]

**Recordkeeping and Reporting:**

1. The permittee shall keep records of all types and amounts of solvents containing waste material from cleaning or degreasing operations transferred either to a contract reclamation service or to a disposal facility and all amounts distilled on the premises. The records also shall include maintenance and repair logs for both the degreaser and any associated control equipment. These records shall be kept current and made available for review on a monthly basis. The Director may require additional recordkeeping if necessary to adequately demonstrate compliance. [10 CSR 10-5.300(4)(A)]
2. The permittee shall maintain records which include for each purchase of cold cleaning solvent: [10 CSR 10-5.300(4)(B)]
  - a) The name and address of the solvent supplier; [10 CSR 10-5.300(4)(B)1]
  - b) The date of purchase; [10 CSR 10-5.300(4)(B)2]
  - c) The type of solvent; and [10 CSR 10-5.300(4)(B)3]
  - d) The vapor pressure of the solvent in mmHg at 20°C (68°F). [10 CSR 10-5.300(4)(B)4]
3. A record shall be kept of solvent metal cleaning training required by 10 CSR 10-5.300(3)(C). [10 CSR 10-5.300(4)(D)]
4. All records required under 10 CSR 10-5.300(4)(A), (4)(B), and (4)(D) shall be retained for five years and shall be made available to the Director upon request. [10 CSR 10-5.300(4)(E)]
5. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 009</b>		
10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants		
<b>Emission Source</b>	<b>Description</b>	<b>Manufacturer/Model No.</b>
M-4	Silo Fill Dust Removal System, 1971, 1,050 tph	Unknown
PAC-1	PAC Silo #1	Unknown
PAC-2	PAC Silo #2	Unknown
M-20	Fly Ash Handling (Collection and Transfer), 28 tph, fabric filters	Unknown
M-21	(3) Fly Ash Storage Silos, 28 tph, bin vent filters	Unknown
M-22	Fly Ash Tanker Loading, 28 tph, fabric filters	Unknown
M-23	Fly Ash Transfer to Long Term Storage, 28 tph, fabric filters	Unknown

**Emission Limitation:**

1. The permittee shall not cause or permit to be discharged into the atmosphere from these emission sources any visible emissions with an opacity greater than 20 percent for any continuous six-minute period. [10 CSR 10-6.220(3)(A)1]
2. Exception: The permittee may discharge into the atmosphere from any source of emissions for one continuous six-minute period in any 60 minutes air contaminants with an opacity up to 40 percent. [10 CSR 10-6.220(3)(A)2]

**Monitoring:**

1. The permittee shall conduct visible emissions readings on these emission sources using the procedures contained in U.S. EPA Test Method 22. Readings are only required when the emission sources are operating and when the weather conditions allow. If no visible emissions are observed using these procedures, then no further observations would be required. For emission sources with visible emissions, the source representative would then conduct a Method 9 observation.
2. The following monitoring schedule shall be maintained:
  - a) Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then
  - b) Observations shall be made once every two weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then
  - c) Observations shall be made once per month. If a violation is noted, monitoring reverts to weekly.
3. If at the time of permit issuance the permittee has already progressed to conducting observations once every two weeks or once per month, the permittee may continue from that point in the schedule after permit issuance. If a violation is noted, monitoring reverts to weekly.
4. If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

**Recordkeeping:**

1. The permittee shall maintain records of all observation results (using Attachments B & C or equivalent forms) noting:
  - a) Whether any air emissions (except for water vapor) were visible from the emission units and
  - b) All emission sources from which visible emissions occurred.
2. The permittee shall maintain records of any equipment malfunctions.
3. These records shall be retained for at least five years and made available for inspection to Department of Natural Resources' personnel upon request. [§70.6(a)(3)(ii)]

**Reporting:**

1. The permittee shall report to the Air Pollution Control Program's Enforcement Section at P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov) no later than ten days after an exceedance of the opacity limitation. [§70.6(a)(3)(iii)]
2. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 010</b>	
10 CSR 10-6.060 Construction Permits Required	
Construction Permit 012001-021, Issued January 24, 2001	
<b>Emission Source</b>	<b>Description</b>
MH-1	Bucket Feed Barge Unloader, 4,000 tph, 2001, wet suppression
MH-2	Enclosed Conveyor, 4,000 tph, 2001, wet suppression
MH-3	Enclosed Conveyor, 4,000 tph, 2001, wet suppression

**Operational Limitation:**

The permittee shall use a wet suppression system to restrict the emission of PM<sub>10</sub> from MH-1 Bucket Feed Barge Unloader, MH-2 Enclosed Conveyor, and MH-3 Enclosed Conveyor whenever these units are in operation. The amount of water and/or other wet suppression materials applied by this PM<sub>10</sub> control system shall be in such quantities such that visible fugitive emissions do not enter the ambient air beyond the property boundaries. [Special Condition 1]

**Monitoring/Recordkeeping:**

1. The permittee shall inspect the wet suppression system while the equipment is in operation at least once per calendar month to ensure that it is functioning properly. Inspections are not required during calendar months in which the equipment is not operated. If an inspection reveals a malfunction, the wet suppression system shall be restored to proper operation within eight hours. If the wet suppression system cannot be repaired within the allotted eight hours, the permittee shall discontinue using MH-1, MH-2, and MH-3 until repairs are complete.
2. The permittee shall maintain records of each inspection, malfunction, and all maintenance/repair activities using Attachment D or an equivalent form.
3. All records shall be maintained for five years and shall be made available for inspection to the Department of Natural Resources upon request. [§70.6(a)(3)(ii)]

**Reporting:**

The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 011</b>	
10 CSR 10-6.060 Construction Permits Required No Construction Permit Required Determination, 2002-05-058	
<b>Emission Source</b>	<b>Description</b>
M-20	Fly Ash Handling (Collection and Transfer), 28 tph, fabric filters
M-21	(3) Fly Ash Storage Silos, 28 tph, bin vent filters
M-22	Fly Ash Tanker Loading, 28 tph, fabric filters
M-23	Fly Ash Transfer to Long Term Storage, 28 tph, fabric filters

**Filter Requirements:**

1. The permittee shall control emissions from the pneumatic conveying system used to transfer fly ash to long term storage (M-23) using fabric filters. If the fabric filters fail or malfunction, the permittee shall discontinue fly ash transfer.
2. The permittee shall control emissions from the pneumatic conveying system used to transfer fly ash from the ESP hoppers to transfer hoppers (M-20) using fabric filters. If the fabric filters fail or malfunction, the permittee shall discontinue fly ash transfer.
3. The permittee shall control emissions from the pneumatic conveying system used to transfer fly ash from the transfer hoppers into M-21 Fly Ash Storage Silos using bin vent filters. If the bin vent filters fail or malfunction, the permittee shall discontinue fly ash transfer.
4. The permittee shall control emissions from the loading of fly ash into railcars and trucks using fabric filters. If the fabric filters fail or malfunction, the permittee shall discontinue fly ash loadout.
5. The fabric filters and bin vent filters shall be equipped with a gauge or meter, which indicate the pressure drop across the control device. [§70.6(a)(3)(i)(B)]

**Monitoring:**

1. Once every 24 hours, when the emission source is operating, the permittee shall ensure the proper operation of each control device according to one of the following methods:
  - a) Monitor and record the operating pressure drop across the control device. The operating pressure drop shall be maintained within the normal operating range for the control device. If the operating pressure drop is outside of the normal operating range, the permittee shall conduct a visible emissions observation. [§70.6(a)(3)(i)(B)]
  - b) Conduct a visible emissions observation of the control device using Method 22-like procedures. If visible emissions are observed, the permittee shall investigate the cause and take corrective action to restore the control device to proper operation. [§70.6(a)(3)(i)(B)]

**Recordkeeping:**

1. The permittee shall retain records of all pressure drop readings and visible emissions observations conducted on each control device.
2. The permittee shall maintain an operating and maintenance log (using Attachment D or an equivalent form) for the fabric filters and bin vent filters which shall include the following:
  - a) Maintenance activities, with inspection schedule, repair actions, and replacements, etc. and
  - b) Dates of all above schedules, incidents, activities, and actions.
3. The permittee shall maintain a malfunction log (using Attachment D or an equivalent form) for the fabric filters and bin vent filters which shall include but not be limited to the following, incidents of malfunction, with impact on emissions, duration of event, probable cause, and corrective actions.
4. The permittee shall maintain all records required by this permit for not less than five years and shall make them available to any Department of Natural Resources' personnel upon request.

**Reporting:**

The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 012</b>		
10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds <sup>13</sup>		
Emission Source	Description	Manufacturer/Model No.
B-4	Emergency Diesel Generator, 2004, 1340 HP	Engine: Cummins/KTA50-G3 Generator: ONAN
IC-1	Emergency Diesel Fire Pump Engine, 2003, 210 HP	Engine: John Deere Fire Pump: Clarke

**Emission Limitations:**

The permittee shall not cause or permit the emission into the atmosphere of gases containing more than 500 ppmv of SO<sub>2</sub> or more than 35 mg/m<sup>3</sup> of H<sub>2</sub>SO<sub>4</sub> or SO<sub>3</sub> or any combination of these gases averaged on any consecutive three-hour time period. [10 CSR 10-6.260(3)(A)2]

**Operational Limitation:**

These emergency engines shall only burn diesel containing less than 8,300 ppm sulfur by weight.

**Compliance Demonstration:**

1. B-4: The permittee is in compliance with the emission limitation as AP-42 Table 3.4-1 (October 1996) indicates that engines of greater than 600 hp emit 1.01S lb/MMBtu SO<sub>x</sub>, where S is the sulfur content (%). Using an F factor of 10,320 wscf/MMBtu from NSPS Appendix A Method 19 Table 19-1, a conversion factor of 1.660E-7 lb/scf per ppmv from NSPS Appendix A Method 19, and the sulfur content limit of 8,300 ppm, 1.01S lb/MMBtu SO<sub>x</sub> converts to 489 ppmv SO<sub>2</sub>.
2. IC-1: Sulfur emissions from an engine are highly dependent on the sulfur content of the fuel combusted; however, the emission factor for engines of less than 600 hp in AP-42 Table 3.3-1 (October 1996) is not sulfur dependent; therefore, SO<sub>2</sub> emissions from this engine were evaluated using a mass balance. Diesel has a density of 7.05 lb/gal per AP-42 Appendix A, a heating value of 137 MMBtu/Mgal per AP-42 Appendix A. Using an F factor of 10,320 wscf/MMBtu from NSPS Appendix A Method 19 Table 19-2, a conversion factor of 1.660E-7 lb/scf per ppmv from NSPS Appendix A Method 19 Table 19-1, and the sulfur content limit of 8,300 ppm, the engine emits 498 ppmv SO<sub>2</sub>. The permittee is in compliance with the emission limitation.

**Monitoring/Recordkeeping:**

1. The permittee shall maintain fuel purchase receipts indicating the sulfur content of the fuel oil.
2. These records shall be made available for inspection to the Department of Natural Resources' personnel upon request. [§70.6(a)(3)(ii)]

<sup>13</sup> This regulation was rescinded by the State of Missouri on November 30, 2015. The regulation remains in this operating permit as it is contained in Missouri's SIP and remains an applicable federal requirement. This is a federal only requirement. This permit condition will no longer be applicable when EPA takes final action to incorporate 10 CSR 10-6.261 in Missouri's SIP in place of 10 CSR 10-6.260. No action is required on the part of the permittee to remove this permit condition from this operating permit upon incorporation of 10 CSR 10-6.261 into Missouri's SIP.

3. All records shall be maintained for five years. [§70.6(a)(3)(ii)]

**Reporting:**

The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 013</b>		
10 CSR 10-6.261 Control of Sulfur Dioxide Emissions <sup>14</sup>		
<b>Emission Source</b>	<b>Description</b>	<b>Manufacturer/Model No.</b>
B-4	Emergency Diesel Generator, 2004, 1340 HP	Engine: Cummins/KTA50-G3 Generator: ONAN
IC-1	Emergency Diesel Fire Pump Engine, 2003, 210 HP	Engine: John Deere Fire Pump: Clarke

**Fuel Restriction:**

The permittee shall accept for delivery only ultra-low sulfur distillate fuel oil with a maximum fuel sulfur content of 15 ppm for use in units fueled, in whole or in part, by diesel. [10 CSR 10-6.261(3)(D) and 12/1/16 Missouri Air Conservation Commission Variance]

**Compliance Methods:**

1. The permittee shall demonstrate compliance using: [10 CSR 10-6.261(3)(E)3]
  - a) Fuel delivery records; or
  - b) Fuel sampling and analysis.

**Reporting and Recordkeeping:**

1. The permittee shall report any excess emissions other than startup, shutdown, and malfunction excess emissions already required to be reported under 10 CSR 10-6.050 to the Director for each calendar quarter within 30 days following the end of the quarter. In all cases, the notification shall be a written report and shall include, at a minimum, the following: [10 CSR 10-6.261(4)(A)1]
  - a) Name and location of source;
  - b) Name and telephone number of person responsible for the source;
  - c) Identity and description of the equipment involved;
  - d) Time and duration of the period of SO<sub>2</sub> excess emissions;
  - e) Type of activity;
  - f) Estimate of the magnitude of the SO<sub>2</sub> excess emissions expressed in the units of the applicable emission control regulation and the operating data and calculations used in estimating the magnitude;
  - g) Measures taken to mitigate the extent and duration of the SO<sub>2</sub> excess emissions; and
  - h) Measures taken to remedy the situation which caused the SO<sub>2</sub> excess emissions and the measures taken or planned to prevent the recurrence of these situations;

<sup>14</sup> This regulation has not yet been adopted into Missouri's SIP; therefore, this regulation is a state only requirement. Upon adoption into Missouri's SIP this regulation will be both a state and federal requirement.

2. The permittee shall maintain a list of modifications to the source’s operating procedures or other routine procedures instituted to prevent or minimize the occurrence of any excess SO<sub>2</sub> emissions; [10 CSR 10-6.261(4)(A)2]
3. The permittee shall maintain a record of data, calculations, results, records, and reports from any fuel deliveries, and/or fuel sampling tests. [10 CSR 10-6.261(4)(A)3]
4. If using fuel delivery records to demonstrate compliance, the permittee shall also maintain the fuel supplier certification information to certify all fuel deliveries. Bills of lading and/or other fuel delivery documentation containing the following information for all fuel purchases or deliveries are deemed acceptable: [10 CSR 10-6.261(4)(C)]
  - a) The name, address, and contact information of the fuel supplier;
  - b) The type of fuel (diesel, #2 fuel oil, etc.);
  - c) The sulfur content or maximum sulfur content expressed in percent sulfur by weight or in ppm sulfur; and
  - d) The heating value of the fuel.
5. If using fuel sampling and analysis to demonstrate compliance, the permittee shall also follow the requirements in 10 CSR 10-6.261(5)(D). [10 CSR 10-6.261(4)(D)]
6. All required reports and records shall be retained on-site for a minimum of five years and made available within five business days upon written or electronic request by the Director. [10 CSR 10-6.261(4)(F)]
7. The permittee shall furnish the Director all data necessary to determine compliance status. [10 CSR 10-6.261(4)(G)]
8. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 014</b>		
10 CSR 10-6.075 Maximum Achievable Control Technology Regulations 40 CFR Part 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines		
Emission Source	Description	Manufacturer/Model No.
B-4	Emergency Diesel Generator, 2004, 1340 HP	Engine: Cummins/KTA50-G3 Generator: ONAN

**Applicability:**

1. New emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions do not have to meet the requirements of this regulation except for the initial notification requirements of §63.6645(f) per §63.6590(b)(1)(i). In order to be considered an emergency stationary RICE at §63.6675, the RICE shall comply with the requirements specified in §63.6640(f) and meet the following criteria:
  - a) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc.
  - b) The stationary RICE is operated under limited circumstances for situations not included in Applicability 1.a, as specified in §63.6640(f).

2. The permittee shall operate the emergency stationary RICE according to the requirements in §63.6640(f)(1) through (3). In order for the engine to be considered an emergency stationary RICE under MACT ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in §63.6640(f)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in §63.6640(f)(1) through (3), the engine will not be considered an emergency engine under MACT ZZZZ and shall meet all requirements for non-emergency engines. [§63.6640(f)]
  - a) There is no time limit on the use of emergency stationary RICE in emergency situations. [§63.6640(f)(1)]
  - b) The permittee may operate the emergency stationary RICE for any combination of the purposes specified in §63.6640(f)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by §63.6640(f)(3) counts as part of the 100 hours per calendar year allowed by this paragraph. [§63.6640(f)(2)]
    - i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [§63.6640(f)(2)(i)]
  - c) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in §63.6640(f)(2). The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [§63.6640(f)(3)]

**Reporting:**

The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 015</b>		
10 CSR 10-6.075 Maximum Achievable Control Technology Regulations 40 CFR Part 63, Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines		
Emission Source	Description	Manufacturer/Model No.
IC-1	Emergency Diesel Fire Pump Engine, 2003, 210 HP	Engine: John Deere Fire Pump: Clarke

**Operational Limitations:**

1. The permittee shall be in compliance with the requirements of MACT ZZZZ that apply at all times. [§63.6605(a)]

2. At all times the permittee shall operate and maintain the affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Director which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [§63.6605(b)]
3. The permittee shall meet the following requirements: [§63.6602 and Table 2c to MACT ZZZZ]
  - a) Change the engine oil and oil filter every 500 hours of operation or annually, whichever comes first;
  - b) Inspect the air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
  - c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
  - d) During periods of startup the permittee shall minimize the engine's time spent at idle and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes.
  - e) If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in Table 2c of MACT ZZZZ, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. The permittee shall report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.
  - f) The permittee may petition the Administrator pursuant to the requirements of §63.6(g) for alternative work practices.
4. The permittee shall operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [§63.6625(e)]
5. The permittee shall install a non-resettable hour meter if one is not already installed. [§63.6625(f)]
6. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirements in Table 2c to MACT ZZZZ. The oil analysis shall be performed at every 500 hours of operation or annually. The analysis program shall at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the permittee is not required to change the oil. If any of the limits are exceeded, the permittee shall change the oil within two business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the permittee shall change the oil within two business days or before commencing operation, whichever is later. The permittee shall keep records of the parameters that are analyzed as part of the

program, the results of the analysis, and the oil changes for the engine. The analysis program shall be part of the maintenance plan for the engine. [§63.6625(i)]

7. The permittee shall operate the emergency stationary RICE according to the requirements in §63.6640(f)(1) through (3). In order for the engine to be considered an emergency stationary RICE under MACT ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in §63.6640(f)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements of §63.6640(f)(1) through (3), the engine will not be considered an emergency engine under MACT ZZZZ and shall meet the requirements for non-emergency engines. [§63.6640(f)]
  - a) There is no time limit on the use of emergency stationary RICE in emergency situations. [§63.6640(f)(1)]
  - b) The permittee may operate the emergency stationary RICE for any combination of purposes specified in §63.6640(f)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by §63.6640(f)(3) counts as part of the 100 hours per calendar year allowed by this paragraph. [§63.6640(f)(2)]
    - i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [§63.6640(f)(2)(i)]
  - c) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in §63.6640(f)(2). The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [§63.6640(f)(3)]

**General Provisions:**

The permittee shall refer to Table 8 to MACT ZZZZ for MACT A applicability.

**Recordkeeping:**

1. The permittee shall retain the following records for this engine:
  - a) Records of the occurrence and duration of each malfunction of process equipment. [§63.6655(a)(2)]
  - b) Records of all required maintenance performed on the air pollution control and monitoring equipment. [§63.6655(a)(4)]
  - c) Records of actions taken during periods of malfunction to minimize emissions including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [§63.6655(a)(5)]
2. The permittee shall retain records of the maintenance conducted on the stationary RICE in order to demonstrate that the permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to the maintenance plan. [§63.6655(e)]

3. The permittee shall retain records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee shall document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. [§63.6655(f)]
4. Records shall be in a form suitable and readily available for expeditious review according to §63.10(b)(1). [§63.6660(a)]
5. As specified in §63.10(b)(1), the permittee shall retain each record for five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§63.6660(b)]
6. The permittee shall retain each record readily accessible in hard copy or electronic form for at least five years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). [§63.6660(c)]
7. These records must be made available for inspection upon request by Missouri Department of Natural Resources' personnel. [§70.6(a)(3)(ii)]

**Reporting:**

The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 016</b>	
10 CSR 10-6.060 Construction Permits Required Construction Permit 012004-007, Issued January 29, 2004	
Emission Source	Description
B-4	Emergency Diesel Generator, 1340 HP, compression ignition, 2004

**Emission Limitation:**

The permittee shall emit less than 40 tons of NO<sub>x</sub> from B-4 Emergency Diesel Generator in any consecutive 12 month period. [Special Condition 1.A]

**Monitoring/Recordkeeping:**

The permittee shall maintain records of monthly and 12-month rolling total NO<sub>x</sub> emissions from B-4 Emergency Diesel Generator using Attachment E or an equivalent forms. The permittee shall maintain all records required by this permit for not less than five years and shall make them available to the Department of Natural Resources upon request. [Special Condition 1.B]

**Reporting:**

The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 017</b>	
10 CSR 10-5.220 Control of Petroleum Liquid Storage, Loading and Transfer	
<b>Emission Source</b>	<b>Description</b>
R-1	Gasoline Refueling Station, 1,000 gallon storage capacity, <10,000 gallons monthly throughput

**General Provisions:**

1. The permittee shall not cause or permit the transfer of gasoline from a delivery vessel into a gasoline storage tank with a capacity greater than 500 gallons and less than or equal to 1,000 gallons unless— [10 CSR 10-5.220(3)(C)1]
  - a) The gasoline storage tank is equipped with a submerged fill pipe extending unrestricted to within six inches of the bottom of the tank and not touching the bottom of the tank, or the storage tank is equipped with a system that allows a bottom fill condition; [10 CSR 10-5.220(3)(C)1.A]
  - b) All gasoline storage tank caps and fittings are vapor-tight when gasoline transfer is not taking place; and [10 CSR 10-5.220(3)(C)1.B]
  - c) Each gasoline storage tank is vented via a conduit that is— [10 CSR 10-5.220(3)(C)1.C]
    - i) At least two inches inside diameter; and [10 CSR 10-5.220(3)(C)1.C(I)]
    - ii) At least 12 ft in height above grade; and [10 CSR 10-5.220(3)(C)1.C(II)]
    - iii) Equipped with a pressure/vacuum valve that is certified by the California Air Resources Board (CARB) at three inches water column pressure/eight inches water column vacuum except when the permittee provides documentation that the vapor recovery system is CARB-certified for a different valve and will not function properly with a three inches water column pressure/eight inches water column vacuum valve. [10 CSR 10-5.220(3)(C)1.C(III)]
2. Aboveground gasoline storage tanks at gasoline dispensing facilities shall not have a capacity greater than 1,000 gallons. [10 CSR 10-5.220(3)(C)4]
3. 10 CSR 10-5.220(3)(C) does not prohibit safety valves or other devices required by government regulations. [10 CSR 10-5.220(3)(C)5]
4. The permittee shall not construct or modify a Stage I or Stage II vapor recovery system without obtaining a GDF construction permit according to 10 CSR 10-5.220(3)(G); and [10 CSR 10-5.220(3)(F)1]
5. The permittee shall not operate the gasoline dispensing facility without a GDF operating permit obtained according to 10 CSR 10-5.220(3)(H). [10 CSR 10-5.220(3)(F)2]
6. The permittee shall apply to the Director for a GDF operating permit<sup>15</sup>. [10 CSR 10-5.220(3)(H)]
  - a) Completion of construction. To obtain a GDF operating permit after the completion of construction, the permittee shall— [10 CSR 10-5.220(3)(H)1]
    - i) Apply to the Director for a GDF operating permit within 30 days of construction completion; [10 CSR 10-5.220(3)(H)1.A]
    - ii) Conduct and pass a Missouri Department of Natural Resources' approved pressure decay test, pressure/vacuum valve test; [10 CSR 10-5.220(3)(H)1.B]
    - iii) Schedule the test and notify the Director at least seven days prior to the test date. The Director may observe the test, but it is not required that the Director be present and observe the test; [10 CSR 10-5.220(3)(H)1.C]
    - iv) Provide the test results to the Director; [10 CSR 10-5.220(3)(H)1.D]

<sup>15</sup> This Part 70 operating permit does not satisfy the requirements to obtain a GDF operating permit.

- v) Demonstrate that the installation maintains a system of record keeping that meets the requirements of 10 CSR 10-5.220(4)(D); and [10 CSR 10-5.220(3)(H)1.E]
  - vi) Establish compliance with all rules and requirements of Division 10 of Title 10 of the Code of State Regulations. [10 CSR 10-5.220(3)(H)1.F]
  - b) Renewal of GDF operating permits. The GDF operating permit is renewable on the date specified in the initial GDF operating permit and for periods of three years after the initial permit term expires. In order to renew the GDF operating permit the permittee shall— [10 CSR 10-5.220(3)(H)2]
    - i) Apply to the Director for renewal of the GDF operating permit and test within 90 days prior to the renewal date; [10 CSR 10-5.220(3)(H)2.A]
    - ii) Demonstrate that the gasoline dispensing facility maintained all vapor recovery system components in good operating order during the preceding GDF operating permit term; [10 CSR 10-5.220(3)(H)2.B]
    - iii) Conduct and pass a Missouri Department of Natural Resources' approved pressure decay test, pressure/vacuum valve test, prior to the expiration date of the permit; [10 CSR 10-5.220(3)(H)2.C]
    - iv) Schedule the test and notify the Director at least seven days prior to the test date. The Director may observe the test, but it is not required that the Director be present and observe the test; [10 CSR 10-5.220(3)(H)2.D]
    - v) Provide the test results to the Director; and [10 CSR 10-5.220(3)(H)2.E]
    - vi) Maintain records according to 10 CSR 10-5.220(4)(D). [10 CSR 10-5.220(3)(H)2.F]
  - c) For vapor recovery systems that are decertified by CARB, the permittee shall establish compliance within one year or by the next renewal date of the GDF operating permit whichever is longer. Failure to establish compliance will result in nonrenewal of the GDF operating permit. [10 CSR 10-5.220(3)(H)3]
  - d) The permittee shall pay the Missouri Department of Natural Resources' a fee of \$100 for each GDF operating permit. [10 CSR 10-5.220(3)(H)4]
7. The permittee shall— [10 CSR 10-5.220(3)(I)]
- a) Operate the vapor recovery system and the gasoline loading equipment in a manner that prevents— [10 CSR 10-5.220(3)(I)1]
    - i) Gauge pressure from exceeding 4,500 pascals (18 inches of H<sub>2</sub>O) in the delivery vessel; [10 CSR 10-5.220(3)(I)1.A]
    - ii) A reading equal to or greater than 100% of the lower explosive limit, measured as propane at 2.5 centimeters from all points on the perimeter of a potential leak source when measured by the method referenced in 10 CSR 10-6.030(14)(E) during loading or transfer operations; and [10 CSR 10-5.220(3)(I)1.B]
    - iii) Visible liquid leaks during loading or transfer operations; and [10 CSR 10-5.220(3)(I)1.C]
  - b) Repair and retest within 15 days, a vapor recovery system that exceeds the limits in 10 CSR 10-5.220(3)(I)1; and [10 CSR 10-5.220(3)(I)2]
  - c) Reporting and record keeping shall be per 10 CSR 10-5.220(4)(D). [10 CSR 10-5.220(3)(I)3]

**Test Methods:**

The permittee shall comply with the test methods and procedures in 10 CSR 10-5.220(5).

**Recordkeeping and Reporting:**

1. The permittee shall maintain records of GDF permits, inspection reports, enforcement documents, training certifications, gasoline deliveries, routine and unscheduled maintenance, repairs, and all

results of tests conducted. Records shall be made available to the Director within five business days of a request. [10 CSR 10-5.220(4)(D)]

2. Records shall be retained for at least five years. [§70.6(a)(3)(ii)]
3. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 018</b>	
10 CSR 10-6.060 Construction Permits Required Construction Permit 072017-020, Issued July 31, 2017	
Emission Source	Description
B-5	Auxiliary Boiler, distillate fuel oil-fired, installed 2017, 155 MMBtu/hr (design rating), COMS

**Fuel Restrictions:**

1. The permittee shall fire auxiliary boiler (B-5) exclusively with *distillate oil* as defined in §60.41b. [Special Condition 1.A of Construction Permit 072017-020]
2. The permittee shall not fire more than 987,491 gallons of distillate oil in auxiliary boiler (B-5) in any consecutive 12-month period. [Special Condition 2.A of Construction Permit 072017-020]
  - a) If the maximum heat input capacity, as defined in §60.41b and determined according to §60.46b(g), is lower than 155 MMBtu/hr, then a new consecutive 12-month period limit shall be calculated using the following equation: maximum heat input capacity (MMBtu/hr) / 0.1375 (MMBtu/gal) x 8,760 (hr/yr) x 10%. [Special Condition 2.A.1 of Construction Permit 072017-020]
  - b) If the maximum heat input capacity, as defined in §60.41b and determined according to §60.46b(g), is higher than 155 MMBtu/hr, then the permittee shall comply with the 987,491 gallons limit in Special Condition 2.A of Construction Permit 072017-020 or a new consecutive 12-month period limit determined according to the equation in Special Condition 2.A.1 of Construction Permit 072017-020. [Special Condition 2.A.2 of Construction Permit 072017-020]

**Monitoring/Recordkeeping:**

1. The permittee shall demonstrate compliance with Special Condition 1.A of Construction Permit 072017-020 by onsite inspection from Missouri Department of Natural Resources' personnel showing the auxiliary boiler (B-5) fuel supply piping is connected only to a tank(s) containing the allowed fuels. The permittee shall keep onsite a copy of the fuel contract showing only fuel oil not exceeding 15 ppmw sulfur can be received and records showing all fuel deliveries to the tank(s). [Special Condition 1.B of Construction Permit 072017-020]
2. The permittee shall demonstrate compliance with Special Condition 2.A of Construction Permit 072017-020 by installing a non-resettable fuel flow/usage meter on the fuel line to auxiliary boiler (B-5). The meter shall be installed and maintained according to the manufacturer's specifications. The permittee shall monitor and record the fuel flow rate in accordance with §63.7555(a)(3) and §60.49b(d). [Special Condition 2.B of Construction Permit 072017-020]
3. The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request. These records include SDS for all materials used. [Special Condition 3.A of Construction Permit 072017-020]

**Reporting:**

1. The permittee shall submit a construction permit application to the Air Pollution Control Program’s Permits Section within 60 days of conducting the maximum heat input capacity testing under §60.46b(g) if the permittee intends to set a new consecutive 12-month period limit under Special Conditions 2.A.1 of Construction Permit 072017-020 or 2.A.2 of Construction Permit 072017-020. [Special Condition 2.A.3 of Construction Permit 072017-020]
2. The permittee shall report to the Air Pollution Control Program’s Compliance/Enforcement Section at P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), no later than 30 days after the end of the month during which records indicate an exceedance of Special Condition 2.A of Construction Permit 072017-020. [Special Condition 3.B of Construction Permit 072017-020]
3. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 019</b>	
10 CSR 10-6.070 New Source Performance Regulations	
40 CFR Part 60, Subpart Db – Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units	
Emission Source	Description
B-5	Auxiliary Boiler, distillate fuel oil-fired, installed 2017, 155 MMBtu/hr (design rating), COMS

**Definitions: [§60.41b]**

1. *Distillate oil* means fuel oils that contain 0.05 weight percent nitrogen or less and comply with the specifications for fuel oil numbers 1 and 2, as defined by the American Society of Testing and Materials in ASTM D396 (incorporated by reference, see §60.17), diesel fuel oil numbers 1 and 2, as defined by the American Society for Testing and Materials in ASTM D975 (incorporated by reference, see §60.17), kerosene, as defined by the American Society of Testing and Materials in ASTM D3699 (incorporated by reference, see §60.17), biodiesel as defined by the American Society of Testing and Materials in ASTM D6751 (incorporated by reference, see §60.17), or biodiesel blends as defined by the American Society of Testing and Materials in ASTM D7467 (incorporated by reference, see §60.17).
2. *Very low sulfur oil* means oil that contains no more than 0.30 weight percent sulfur or that, when combusted without SO<sub>2</sub> emission control, has a SO<sub>2</sub> emission rate equal to or less than 140 ng/J (0.32 lb/MMBtu) heat input.

**SO<sub>2</sub> Requirements:**

1. Units firing only very low sulfur oil are exempt from the SO<sub>2</sub> emissions limit in §60.42b(k)(1). [§60.42b(k)(2)]
2. The permittee shall follow the applicable procedures in §60.49b(r) to demonstrate compliance with §60.42b(k)(2). [§60.45b(j) and (k) and §60.47b(f)]

**Opacity Standards Requirements:**

1. On and after the date on which the initial performance test is completed or is required to be completed under §60.8, whichever date comes first, the permittee shall not cause to be discharged into the atmosphere any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity. [§60.43b(f)]

2. The opacity standards apply at all times, except during periods of startup, shutdown, or malfunction. [§60.43b(g) and §60.46b(a)]
3. The permittee shall install, calibrate, maintain, and operate a continuous opacity monitoring systems (COMS) for measuring the opacity of emissions discharged to the atmosphere and record the output of the system. [§60.48b(a)]
4. The procedures under §60.13 shall be followed for installation, evaluation, and operation of the continuous monitoring systems. [§60.48b(e)]

**PM Requirements:**

1. Units not located in a noncontinental area that commenced construction, reconstruction, or modification after February 28, 2005, and that combust only oil that contains no more than 0.30 weight percent sulfur are not subject to the PM limits in §60.43b(h)(1). [60.43b(h)(5)]
2. The permittee shall follow the applicable procedures in §60.49b(r) to demonstrate compliance with §60.43b(h)(5). [§60.46b(i)]

**NO<sub>x</sub> Requirements:**

1. Units that meet the criteria described in §60.44b(j)(1), (2), and (3), and that have a heat input capacity of 73 MW (250 MMBtu/hr) or less, are not subject to the NO<sub>x</sub> emission limits in §60.44b. [§60.44b(k)]
  - a) Combust only distillate oil; [§60.44b(j)(1)]
  - b) Have a combined annual capacity factor of 10 percent or less for distillate oil; and [§60.44b(j)(2)]
  - c) Are subject to a federally enforceable requirement limiting operation of the affected facility to the firing of only distillate oil and limiting operation of the affected facility to a combined annual capacity factor of 10 percent or less for distillate oil. [§60.44b(j)(3)]
2. Compliance with the NO<sub>x</sub> emission standards under §60.44b shall be determined through performance testing under §60.46b(g). [§60.46b(c)]
3. The permittee shall demonstrate the maximum heat input capacity of the steam generating unit by operating the facility at maximum capacity for 24 hours. The permittee shall determine the maximum heat input capacity using the heat loss method or the heat input method described in sections 5 and 7.3 of the ASME *Power Test Codes* 4.1 (incorporated by reference, see §60.17). This demonstration of maximum heat input capacity shall be made during the initial performance test for affected facilities that meet the criteria of §60.44b(j). It shall be made within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial start-up of each facility, for affected facilities meeting the criteria of §60.44b(k). Subsequent demonstrations may be required by the Administrator at any other time. If this demonstration indicates that the maximum heat input capacity of the affected facility is less than that stated by the manufacturer of the affected facility, the maximum heat input capacity determined during this demonstration shall be used to determine the capacity utilization rate for the affected facility. Otherwise, the maximum heat input capacity provided by the manufacturer is used. [§60.46b(g)]
4. Units described in §60.44b(k) are not required to install or operate a CEMS for measuring NO<sub>x</sub> emissions. [§60.48b(i)]

**Reporting and Recordkeeping Requirements:**

1. The permittee shall submit to the Director the maximum heat input capacity data from the demonstration of the maximum heat input capacity of the affected facility. [§60.49b(b)]

2. Except as provided in §60.49(d)(2), the permittee shall record and maintain records as specified in §60.49(d)(1). [§60.49b(d)]
  - a) The permittee shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor for distillate oil for the reporting period. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month. [§60.49b(d)(1)]
  - b) As an alternative to meeting the requirements of §60.49b(d)(1), units that are subject to a federally enforceable permit restricting fuel use to a single fuel such that the facility is not required to continuously monitor any emissions (excluding opacity) or parameters indicative of emissions may elect to record and maintain records of the amount of each fuel combusted during each calendar month. [§60.49b(d)(2)]
3. The permittee shall maintain records of opacity. [§60.49b(f)]
4. For units listed in §60.49(h)(1) is required to submit excess emission reports for any excess emissions that occurred during the reporting period. [§60.49b(h)]
  - a) Units subject to the opacity standards in §60.43b(f) or to the operating parameter monitoring requirements in §60.13(i)(1). [§60.49b(h)(1)]
  - b) For the purpose of §60.43b, excess emissions are defined as all 6-minute periods during which the average opacity exceeds the opacity standards under §60.43b(f). [§60.49b(h)(3)]
5. All records required under §60.49b shall be maintained by the permittee for a period of five years following the date of such record. [§60.49b(o) and §70.6(a)(3)(ii)]
6. The permittee shall maintain records of the following information for each steam generating unit operating day: [§60.49b(p)]
  - a) Calendar date; [§60.49b(p)(1)]
  - b) The number of hours of operation; and [§60.49b(p)(2)]
  - c) A record of the hourly steam load. [§60.49b(p)(3)]
7. The permittee shall submit to the Director a report containing: [§60.49b(q)]
  - a) The annual capacity factor over the previous 12 months; [§60.49b(q)(1)]
8. The permittee shall obtain and maintain at the affected facility fuel receipts (such as a current, valid purchase contract, tariff sheet, or transportation contract) from the fuel supplier that certify that the oil meets the definition of distillate oil as defined in §60.41b and contains no more than 0.30 weight percent sulfur. For the purposes of §60.49b, the distillate oil need not meet the fuel nitrogen content specification in the definition of distillate oil. Reports shall be submitted to the Director certifying that only very low sulfur oil meeting this definition was combusted in the affected facility during the reporting period; or [§60.49b(r)(1)]
9. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

<b>PERMIT CONDITION 020</b>	
10 CSR 10-6.075 Maximum Achievable Control Technology Regulations 40 CFR Part 63, Subpart DDDDD – National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters	
Emission Source	Description
B-5	Auxiliary Boiler, distillate fuel oil-fired, installed 2017, 155 MMBtu/hr (design rating), COMS

**Compliance Date:**

1. The permittee shall comply with MACT DDDDD upon startup of Auxiliary Boiler B-5. [§63.7495(a)]
2. The permittee shall meet the notification requirements in §63.7545 according to the schedule in §63.7545 and in 40 CFR Part 63, Subpart A. Some of the notifications must be submitted before the permittee is required to comply with the emission limits and work practice standards in MACT DDDDD. [§63.7495(d)]

**Emission Limitations and Work Practice Standards:**

1. The permittee shall meet the requirements in §63.7500(a)(3), except as provided in §63.7500(b) and (c). The permittee shall meet these requirements at all times the affected unit is operating. [§63.7500(a)]
  - a) At all times, the permittee shall operate and maintain any affected source (as defined in §63.7490), including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Director that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [§63.7500(a)(3)]
2. As provided in §63.6(g), EPA may approve use of an alternative to the work practice standards in §63.7500. [§63.7500(b)]
3. Limited-use boilers shall complete a tune-up every five years as specified in §63.7540. They are not subject to the emission limits in Tables 1 and 2 or 11 through 13 to MACT DDDDD, the annual tune-up, or the energy assessment requirements in Table 3 to MACT DDDDD, or the operating limits in Table 4 to MACT DDDDD. [§63.7500(c)]

**Table 3 to MACT ZZZZ – Work Practice Standards**

For...	The permittee shall...
1. A limited-use boiler	Conduct a tune-up of the boiler every five years as specified in §63.7540.

**Compliance Requirements:**

1. The permittee shall be in compliance with the work practice standards in MACT DDDDD. [§63.7505(a)]
2. The permittee shall demonstrate initial compliance with the applicable work practice standards in Table 3 to MACT DDDDD within the five-year schedule as specified in §63.7515(d) following the initial compliance date specified in §63.7495(a). Thereafter, the permittee is required to complete the applicable five-year tune-up as specified in §63.7515(d). [§63.7510(g)]
3. The permittee shall conduct a five-year performance tune-up according to §63.7540(a)(10), (11), or (12), respectively. Each five-year tune-up specified in §63.7540(a)(12) must be conducted no more

than 61 months after the previous tune-up. The first five-year tune-up must be no later than 61 months after the initial startup of the boiler. [§63.7515(d)]

4. The permittee shall submit the Notification of Compliance Status according to the requirements in §63.7545(e). [§63.7530(f)]
5. The permittee shall demonstrate continuous compliance with the work practice standards in Table 3 to MACT DDDDD according to the methods specified in §63.7540(a)(12) and (13). [§63.7540(a)]
  - a) The permittee shall conduct a tune-up of the boiler every five years as specified in §63.7540(a)(10)(i) through (vi) to demonstrate continuous compliance. The permittee may delay the burner inspection specified in §63.7540(a)(10)(i) until the next scheduled or unscheduled unit shutdown, but the permittee shall inspect each burner at least once every 72 months. [§63.7540(a)(12)]
    - i) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (the permittee may perform the burner inspection any time prior to the tune-up or delay the burner inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection. At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment; [§63.7540(a)(10)(i)]
    - ii) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available; [§63.7540(a)(10)(ii)]
    - iii) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (the permittee may delay the inspection until the next scheduled unit shutdown). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection; [§63.7540(a)(10)(iii)]
    - iv) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NO<sub>x</sub> requirement to which the unit is subject; [§63.7540(a)(10)(iv)]
    - v) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer; and [§63.7540(a)(10)(v)]
    - vi) Maintain on-site and submit, if requested by the Director, a report containing the information in §63.7540(a)(10)(vi)(A) through (C): [§63.7540(a)(10)(vi)]
      - (1) The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler; [§63.7540(a)(10)(vi)(A)]
      - (2) A description of any corrective actions taken as a part of the tune-up; and [§63.7540(a)(10)(vi)(B)]
      - (3) The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit. [§63.7540(a)(10)(vi)(C)]

- (4) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 calendar days of startup. [§63.7540(a)(13)]

**General Provisions:**

The permittee shall comply with the General Provisions in §§63.1 through 63.15 as specified in Table 10 to MACT DDDDD.

**Notification, Reports, and Records:**

1. The permittee shall submit to the Director all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (6), and 63.9(b) through (h) that apply by the dates specified. [§63.7545(a)]
2. The permittee shall submit a Notification of Compliance Status according to §63.9(h)(2)(ii). The Notification of Compliance Status must only contain the information specified in §63.7545(e)(1) and (8) and must be submitted within 60 days of the compliance date specified at §63.7495(a). [§63.7545(e)]
  - a) A description of the affected unit(s) including identification of which subcategories the unit is in, the design heat input capacity of the unit, a description of the add-on controls used on the unit to comply with MACT DDDDD, description of the fuel(s) burned, including whether the fuel(s) were a secondary material determined by the permittee or the EPA through a petition process to be a non-waste under 40 CFR 241.3, whether the fuel(s) were a secondary material processed from discarded non-hazardous secondary materials within the meaning of 40 CFR 241.3, and justification for the selection of fuel(s) burned during the compliance demonstration. [§63.7545(e)(1)]
  - b) In addition to the information required in §63.9(h)(2), the Notification of Compliance Status must include the following certification(s) of compliance and signed by a responsible official: [§63.7545(e)(8)]
    - i) “This facility completed the required initial tune-up for all of the boilers and process heaters covered by 40 CFR part 63 subpart DDDDD at this site according to the procedures in §63.7540(a)(10)(i) through (vi).” [§63.7545(e)(8)(i)]
    - ii) Except for units that burn only natural gas, refinery gas, or other gas 1 fuel, or units that qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act, include the following: “No secondary materials that are solid waste were combusted in any affected unit.” [§63.7545(e)(8)(iii)]
3. The permittee shall submit each report in Table 9 to MACT DDDDD that applies. [§63.7550(a)]
4. Unless the EPA Administrator has approved a different schedule for submission of reports under §63.10(a), the permittee shall submit each report, according to §63.7550(h), by the date in Table 9 to MACT DDDDD and according to the requirements in §63.7550(b)(1) through (4). The permittee may submit only a five-year compliance report as specified in §63.7550(b)(1) through (4), instead of a semi-annual compliance report. [§63.7550(b)]
  - a) The first compliance report must cover the period beginning on the compliance date that is specified for each boiler in §63.7495 and ending on December 31 within five years after the compliance date that is specified for the source in §63.7495. [§63.7550(b)(1)]
  - b) The first five-year compliance report must be postmarked or submitted no later than January 31. [§63.7550(b)(2)]
  - c) Subsequent five-year compliance reports must cover the applicable five-year periods from January 1 to December 31. [§63.7550(b)(3)]
  - d) Each subsequent five-year compliance reports must be postmarked or submitted no later than January 31. [§63.7550(b)(4)]

5. A compliance report shall contain the following information: [§63.7550(c)]
  - a) The permittee shall submit a compliance report with the information in §63.7550(c)(5)(i) through (iii), (xiv) and (xvii), and §63.7550(c)(5)(iv). [§63.7550(c)(1)]
    - i) Company and Facility name and address. [§63.7550(c)(5)(i)]
    - ii) Process unit information, emissions limitations, and operating parameter limitations. [§63.7550(c)(5)(ii)]
    - iii) Date of report and beginning and ending dates of the reporting period. [§63.7550(c)(5)(iii)]
    - iv) The total operating time during the reporting period. [§63.7550(c)(5)(iv)]
    - v) Include the date of the most recent tune-up for each unit subject to only the requirement to conduct a five-year tune-up according to §63.7540(a)(12). Include the date of the most recent burner inspection if it was not on a 5-year period and was delayed until the next scheduled or unscheduled unit shutdown. [§63.7550(c)(5)(xiv)]
    - vi) Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report. [§63.7550(c)(5)(xvii)]
6. The permittee shall submit the reports according to the procedures specified in §63.7550(h)(3). [§63.7550(h)]
  - a) The permittee shall submit all reports required by Table 9 of MACT DDDDD electronically to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX.) The permittee shall use the appropriate electronic report in CEDRI for MACT DDDDD. Instead of using the electronic report in CEDRI for MACT DDDDD, the permittee may submit an alternate electronic file consistent with the XML schema listed on the CEDRI Web site (<http://www.epa.gov/ttn/chief/cedri/index.html>), once the XML schema is available. If the reporting form specific to MACT DDDDD is not available in CEDRI at the time that the report is due, the permittee shall submit the report to the Director at the appropriate address listed in §63.13. The permittee shall begin submitting reports via CEDRI no later than 90 days after the form becomes available in CEDRI. [§63.7550(h)(3)]
7. The permittee shall keep records according to §63.7555(a)(1) and (2). [§63.7555(a)]
  - a) A copy of each notification and report that the permittee submitted to comply with MACT DDDDD, including all documentation supporting any Notification of Compliance Status or compliance report that you submitted, according to the requirements in §63.10(b)(2)(xiv). [§63.7555(a)(1)]
  - b) Records of performance tests, fuel analyses, or other compliance demonstrations and performance evaluations as required in §63.10(b)(2)(viii). [§63.7555(a)(2)]
  - c) The permittee shall keep a copy of the federally enforceable permit that limits the annual capacity factor to less than or equal to 10 percent and fuel use records for the days the boiler was operating. [§63.7555(a)(3)]
8. Records must be in a form suitable and readily available for expeditious review, according to §63.10(b)(1). [§63.7560(a)]
9. As specified in §63.10(b)(1), the permittee shall keep each record for five years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [§63.7560(b)]
10. The permittee shall keep each record on site, or they must be accessible from on site (for example, through a computer network), for at least two years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). The permittee may keep the records off site for the remaining three years. [§63.7560(c)]

**Table 9 to MACT DDDDD – Reporting Requirements**

The permittee shall submit a...	The report shall contain...	The permittee shall submit the report...
1. Compliance report	a. Information required in §63.7550(c)(1) through (5)	Every five years according to the requirements in §63.7550(b)

<b>PERMIT CONDITION 021</b> 10 CSR 10-6.261 Control of Sulfur Dioxide Emissions <sup>16</sup>	
Emission Source	Description
B-5	Auxiliary Boiler, distillate fuel oil-fired, installed 2017, 155 MMBtu/hr (design rating), COMS

**Fuel Restriction:**

The permittee shall accept for delivery only ultra-low sulfur distillate fuel oil with a maximum fuel sulfur content of 15 ppm for use in units fueled, in whole or in part, by No. 1 fuel oil and/or No. 2 fuel oil. [10 CSR 10-6.261(3)(D) and 12/1/16 Missouri Air Conservation Commission Variance]

**Compliance Methods:**

1. The permittee shall demonstrate compliance using: [10 CSR 10-6.261(3)(E)3]
  - a) Fuel delivery records; or
  - b) Fuel sampling and analysis.

**Reporting and Recordkeeping:**

1. The permittee shall report any excess emissions other than startup, shutdown, and malfunction excess emissions already required to be reported under 10 CSR 10-6.050 to the Director for each calendar quarter within 30 days following the end of the quarter. In all cases, the notification shall be a written report and shall include, at a minimum, the following: [10 CSR 10-6.261(4)(A)1]
  - a) Name and location of source;
  - b) Name and telephone number of person responsible for the source;
  - c) Identity and description of the equipment involved;
  - d) Time and duration of the period of SO<sub>2</sub> excess emissions;
  - e) Type of activity;
  - f) Estimate of the magnitude of the SO<sub>2</sub> excess emissions expressed in the units of the applicable emission control regulation and the operating data and calculations used in estimating the magnitude;
  - g) Measures taken to mitigate the extent and duration of the SO<sub>2</sub> excess emissions; and
  - h) Measures taken to remedy the situation which caused the SO<sub>2</sub> excess emissions and the measures taken or planned to prevent the recurrence of these situations;
2. The permittee shall maintain a list of modifications to the source’s operating procedures or other routine procedures instituted to prevent or minimize the occurrence of any excess SO<sub>2</sub> emissions; [10 CSR 10-6.261(4)(A)2]
3. The permittee shall maintain a record of data, calculations, results, records, and reports from any fuel deliveries, and/or fuel sampling tests. [10 CSR 10-6.261(4)(A)3]

<sup>16</sup> This regulation has not yet been adopted into Missouri’s SIP; therefore, this regulation is a state only requirement. Upon adoption into Missouri’s SIP this regulation will be both a state and federal requirement.

4. If using fuel delivery records to demonstrate compliance, the permittee shall also maintain the fuel supplier certification information to certify all fuel deliveries. Bills of lading and/or other fuel delivery documentation containing the following information for all fuel purchases or deliveries are deemed acceptable: [10 CSR 10-6.261(4)(C)]
  - a) The name, address, and contact information of the fuel supplier;
  - b) The type of fuel (diesel, #2 fuel oil, etc.);
  - c) The sulfur content or maximum sulfur content expressed in percent sulfur by weight or in ppm sulfur; and
  - d) The heating value of the fuel.
5. If using fuel sampling and analysis to demonstrate compliance, the permittee shall also follow the requirements in 10 CSR 10-6.261(5)(D). [10 CSR 10-6.261(4)(D)]
6. All required reports and records shall be retained on-site for a minimum of five years and made available within five business days upon written or electronic request by the Director. [10 CSR 10-6.261(4)(F)]
7. The permittee shall furnish the Director all data necessary to determine compliance status. [10 CSR 10-6.261(4)(G)]
8. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

## IV. Core Permit Requirements

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

### **10 CSR 10-6.045 Open Burning Requirements**

1. General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
2. Certain types of materials may be open burned provided an open burning permit is obtained from the Director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the permittee fails to comply with the conditions or any provisions of the permit.

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

1. In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the Director within two business days, in writing, the following information:
  - a) Name and location of installation;
  - b) Name and telephone number of person responsible for the installation;
  - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
  - d) Identity of the equipment causing the excess emissions;
  - e) Time and duration of the period of excess emissions;
  - f) Cause of the excess emissions;
  - g) Air pollutants involved;
  - h) Estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
  - i) Measures taken to mitigate the extent and duration of the excess emissions; and
  - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
2. The permittee shall submit the paragraph 1 information to the Director in writing at least ten days prior to any maintenance, start-up or shutdown activity which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, notice shall be given as soon as practicable prior to the activity.
3. Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under §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 §§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 §§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 18 months. The permittee shall retain the most current operating permit issued to this installation on-site. The permittee shall immediately make such permit available to any Missouri Department of Natural Resources' personnel upon request.

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

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

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

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

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

1. The permittee shall submit a Full Emissions Report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on EIQ paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as spreadsheet file, can be submitted for approval by the Director.
2. Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
3. The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.

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

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

**10 CSR 10-6.150 Circumvention**

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

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

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

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

**10 CSR 10-6.170 Restriction of PM 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 PM emissions to go beyond the premises of origin in quantities that the PM may be found on surfaces beyond the property line of origin. The nature or origin of the PM 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 PM 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:**

1. 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.
2. The permittee shall maintain the following monitoring schedule:
  - a) The permittee shall conduct weekly observations for a minimum of eight consecutive weeks after permit issuance.
  - b) Should no violation of this regulation be observed during this period then-
    - i) The permittee may observe once every two weeks for a period of eight weeks.
    - ii) If a violation is noted, monitoring reverts to weekly.
    - iii) Should no violation of this regulation be observed during this period then-
      - (1) The permittee may observe once per month.

- (2) If a violation is noted, monitoring reverts to weekly.
- c) If at the time of permit issuance the permittee has already progressed to conducting observations once every two weeks or once per month, the permittee may continue from that point in the schedule after permit issuance. If a violation is noted, monitoring reverts to weekly.
  - d) If the permittee reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner to the initial monitoring frequency.

**Recordkeeping:**

1. The permittee shall document all readings on Attachment A, or its equivalent, noting the following:
  - a) Whether air emissions (except water vapor) remain visible in the ambient air beyond the property line of origin.
  - b) Whether equipment malfunctions contributed to an exceedance.
  - c) 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 10-6.250 Asbestos Abatement Projects – Certification, Accreditation, and Business Exemption Requirements**

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

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

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

1. The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - 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 at an installation:

- 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.

#### **10 CSR 10-5.040 Use of Fuel in Hand-Fired Equipment Prohibited**

The permittee shall not operate applicable hand-fired fuel burning equipment unless the permittee meets the conditions set forth in 10 CSR 10-5.040. This regulation shall apply to all hand-fired fuel-burning equipment at commercial facilities including, but not limited to, furnaces, heating and cooking stoves and hot water furnaces. It shall not apply to wood-burning fireplaces and wood-burning stoves in dwellings, nor to fires used for recreational purpose, nor to fires used solely for the preparation of food by barbecuing or to other equipment exempted under 10 CSR 10-5.040. Hand-fired fuel-burning equipment is any stove, furnace, or other fuel-burning device in which fuel is manually introduced directly into the combustion chamber.

#### **10 CSR 10-5.060 Refuse Not to be Burned in Fuel Burning Installations (Rescinded on February 11, 1979, Contained in State Implementation Plan)**

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

No person shall burn or cause or permit the burning of refuse in any installation which is designed for the primary purpose of burning fuel.

#### **10 CSR 10-5.120 Information on Sales of Fuels to be Provided and Maintained**

Every delivery of coal or residual fuel oil when first delivered to a consumer or wholesaler in the St. Louis metropolitan area must be accompanied by a ticket prepared in triplicate and containing at least the name and address of the seller and the buyer; the grade of fuel; ash content of coal, the source of the fuel, which must be an approved source, and such other information as the Air Conservation Commission may require. One copy of each ticket shall be kept by the person delivering the fuel and be retained for one year; one copy is to be given to the recipient of the fuel to be retained for one year; and, upon request, within 30 days after delivery of the fuel, the delivering party shall mail one copy to the Air Conservation Commission.

#### **10 CSR 10-5.130 Certain Coals to be Washed**

The permittee shall not import, sell, offer for sale, expose for sale, exchange, deliver or transport for use and consumption in the St. Louis metropolitan area or use or consume in the said area any coal which as mined containing in excess of 2.0% sulfur or 12.0% ash calculated as described in 10 CSR 10-5.110, unless it has been cleaned by a process known as "washing" so that it shall contain no more than 12.0%

ash on a dry basis. The term "washing" is meant to include purifying, cleaning, or removing impurities from coal by mechanical process, regardless of cleaning medium used.

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

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

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B of 40 CFR Part 82:
  - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices described in §82.156.
  - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment described in §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 the record keeping requirements of §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.
2. If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A - Production and Consumption Controls.
3. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the MVAC, the permittee is subject to all the applicable requirements contained in 40 CFR Part 82, Subpart B, Servicing of MVACs. The term "motor vehicle" as used in 40 CFR Part 82, Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in 40 CFR Part 82, Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.
4. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G - Significant New Alternatives Policy Program.

## V. General Permit Requirements

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

### **10 CSR 10-6.065(6)(C)1.B Permit Duration & 10 CSR 10-6.065(6)(E)3.C Extension of Expired Permits**

This permit is issued for a term of five years, commencing on the date of issuance. This permit will expire at the end of this period unless renewed. If a timely and complete application for a permit renewal is submitted, but the Air Pollution Control Program fails to take final action to issue or deny the renewal permit before the end of the term of this permit, this permit shall not expire until the renewal permit is issued or denied.

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

1. Record Keeping
  - a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
  - b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.
2. Reporting
  - a) All reports shall be submitted to the Air Pollution Control Program's Compliance and Enforcement Section at P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov).
  - b) The permittee shall submit a report of all required monitoring by:
    - i) October 1st for monitoring which covers the January through June time period, and
    - ii) April 1st for monitoring which covers the July through December time period.
  - c) Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit, this includes deviations or Part 64 exceedances.
  - d) Submit supplemental reports as required or as needed. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
    - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in 10 CSR 10-6.065(6)(C)7.A (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.

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

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

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

#### **10 CSR 10-6.065(6)(C)1.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 is being issued an Acid Rain Permit in conjunction with this operating permit (see Attachment G). The Acid Rain Permit will remain effective as long as this permit remains effective. The permittee shall submit an Acid Rain Permit renewal application in conjunction with their Title V operating permit renewal application.

#### **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**

**Operational Limitations:**

1. The permittee may combust in B-1 Boiler 1 and B-2 Boiler 2 the following acceptable materials generated on site:

a) Used oil (and oil sorbents used in oil spill cleanup) according to the following specifications:

i) §279.11 *Used Oil Specifications*

(1) **Table 1** — *Used Oil Not Exceeding Any Allowable Level Shown Below Is Not Subject To This Part When Burned For Energy Recovery*

Constituent/property	Allowable level
Arsenic	5 ppm maximum.
Cadmium	2 ppm maximum.
Chromium	10 ppm maximum.
Lead	100 ppm maximum.
Flash point	100°F minimum.
Total halogens	4,000 ppm maximum. <sup>2</sup>

Note: Applicable standards for the burning of used oil containing PCBs are imposed by 40 CFR 761.20(e).

<sup>1</sup>The allowable levels do not apply to mixtures of used oil and hazardous waste that continue to be regulated as hazardous waste (see §279.10(b)).

<sup>2</sup>Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under §279.10(b)(1). Such used oil is subject to 40 CFR Part 266, Subpart H when burned for energy recovery unless the presumption of mixing can be successfully rebutted.

- ii) In addition to any applicable requirements under 40 CFR Part 279, Subparts G and H, marketers and burners of used oil who market (process or distribute in commerce) for energy recovery, used oil containing any quantifiable level of PCBs are subject to the following requirements: [§761.20(e)]

- (1) Restrictions on marketing. Used oil containing any quantifiable level of PCBs (2 ppm) may be marketed only to: [§761.20(e)(1)]
  - (a) Qualified incinerators as defined in 40 CFR 761.3. [§761.20(e)(1)(i)]
  - (b) Marketers who market off-specification used oil for energy recovery only to other marketers who have notified EPA of their used oil management activities, and who have an EPA identification number where an identification number is required by 40 CFR 279.73. This would include persons who market off-specification used oil who are subject to the requirements at 40 CFR Part 279 and the notification requirements of 40 CFR 279.73. [§761.20(e)(1)(ii)]
  - (c) Burners identified in 40 CFR 279.61(a)(1) and (2). Only burners in the automotive industry may burn used oil generated from automotive sources in used oil-fired space heaters provided the provisions of 40 CFR 279.23 are met. The Regional Administrator may grant a variance for a boiler that does not meet the 40 CFR 279.61(a)(1) and (2) criteria after considering the criteria listed in 40 CFR 260.32(a) through (f). The applicant must address the relevant criteria contained in 40 CFR 260.32(a) through (f) in an application to the Regional Administrator. [§761.20(e)(1)(iii)]
- (2) Testing of used oil fuel. Used oil to be burned for energy recovery is presumed to contain quantifiable levels (2 ppm) of PCB unless the marketer obtains analyses (testing) or other information that the used oil fuel does not contain quantifiable levels of PCBs. [§761.20(e)(2)]
  - (a) The person who first claims that a used oil fuel does not contain quantifiable level (2 ppm) PCB must obtain analyses or other information to support that claim. [§761.20(e)(2)(i)]
  - (b) Testing to determine the PCB concentration in used oil may be conducted on individual samples, or in accordance with the testing procedures described in §761.60(g)(2). However, for purposes of this part, if any PCBs at a concentration of 50 ppm or greater have been added to the container or equipment, then the total container contents must be considered as having a PCB concentration of 50 ppm or greater for purposes of complying with the disposal requirements of this part. [§761.20(e)(2)(ii)]
  - (c) Other information documenting that the used oil fuel does not contain quantifiable levels (2 ppm) of PCBs may consist of either personal, special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the oil contains no detectable PCBs. [§761.20(e)(2)(iii)]
- (3) Restrictions on burning. [§761.20(e)(3)]
  - (a) Used oil containing any quantifiable levels of PCB may be burned for energy recovery only in the combustion facilities identified in §761.20(e)(1) when such facilities are operating at normal operating temperatures (this prohibits feeding these fuels during either startup or shutdown operations). Owners and operators of such facilities are “burners” of used oil fuels. [§761.20(e)(3)(i)]
  - (b) Before a burner accepts from a marketer the first shipment of used oil fuel containing detectable PCBs (2 ppm), the burner must provide the marketer a one-time written and signed notice certifying that: [§761.20(e)(3)(ii)]
    - (i) The burner has complied with any notification requirements applicable to “qualified incinerators” (§761.3) or to “burners” regulated under 40 CFR Part 279, Subpart G. [§761.20(e)(3)(ii)(A)]

- (ii) The burner will burn the used oil only in a combustion facility identified in §761.20(e)(1) and identify the class of burner he qualifies. [§761.20(e)(3)(ii)(B)]
- (4) Recordkeeping requirements. The following recordkeeping requirements are in addition to the recordkeeping requirements for marketers found in 40 CFR 279.72(b), 279.74(a), (b) and (c), and 279.75, and for burners found in 40 CFR 279.65 and 279.66. [§761.20(e)(4)]
  - (a) Marketers. Marketers who first claim that the used oil fuel contains no detectable PCBs must include among the records required by 40 CFR 279.72(b) and 279.74(b) and (c), copies of the analysis or other information documenting his claim, and he must include among the records required by 40 CFR 279.74(a) and (c) and 279.75, a copy of each certification notice received or prepared relating to transactions involving PCB-containing used oil. [§761.20(e)(4)(i)]
  - (b) Burners. Burners must include among the records required by 40 CFR 279.65 and 279.66, a copy of each certification notice required by §761.20(e)(3)(ii) that he sends to a marketer. [§761.20(e)(4)(ii)]
- iii) Off-specification used oil fuel may be burned for energy recovery in only the following devices: [§279.61(a)]
  - (1) Industrial furnaces identified in §260.10; [§279.61(a)(1)]
  - (2) Boilers, as defined in §260.10, that are identified as follows: [§279.61(a)(2)]
    - (a) Industrial boilers located on the site of a facility engaged in a manufacturing process where substances are transformed into new products, including the component parts of products, by mechanical or chemical processes; [§279.61(a)(2)(i)]
    - (b) Utility boilers used to produce electric power, steam, heated or cooled air, or other gases or fluids for sale; or [§279.61(a)(2)(ii)]
    - (c) Used oil-fired space heaters provided that the burner meets the provisions of §279.23; or [§279.61(a)(2)(iii)]
  - (3) Hazardous waste incinerators subject to regulation under Subpart O of 40 CFR Parts 264 or 265. [§279.61(a)(3)]
- iv) With the following exception, used oil burners may not process used oil unless they also comply with the requirements of 40 CFR Part 279, Subpart F. [§279.61(b)(1)]
- v) Used oil burners may aggregate off-specification used oil with virgin oil or on-specification used oil for purposes of burning, but may not aggregate for purposes of producing on-specification used oil. [§279.61(b)(2)]
- vi) Identification numbers. Used oil burners which have not previously complied with the notification requirements of RCRA §3010 must comply with these requirements and obtain an EPA identification number. [§279.62(a)]
- vii) Mechanics of notification. A used oil burner who has not received an EPA identification number may obtain one by notifying the Regional Administrator of their used oil activity by submitting either: [§279.62(b)]
  - (1) A completed EPA Form 8700-12 (To obtain EPA Form 8700-12 call RCRA/Superfund Hotline at 1-800-424-9346 or 703-920-9810); or [§279.62(b)(1)]
  - (2) A letter requesting an EPA identification number. Call the RCRA/Superfund Hotline to determine where to send a letter requesting an EPA identification number. The letter should include the following information: [§279.62(b)(2)]
    - (a) Burner company name; [§279.62(b)(2)(i)]
    - (b) Owner of the burner company; [§279.62(b)(2)(ii)]
    - (c) Mailing address for the burner; [§279.62(b)(2)(iii)]

- (d) Name and telephone number for the burner point of contact; [§279.62(b)(2)(iv)]
- (e) Type of used oil activity; and [§279.62(b)(2)(v)]
- (f) Location of the burner facility. [§279.62(b)(2)(vi)]
- viii) To ensure that used oil managed at a used oil burner facility is not hazardous waste under the rebuttable presumption of §279.10(b)(1)(ii), a used oil burner must determine whether the total halogen content of used oil managed at the facility is above or below 1,000 ppm. [§279.63(a)]
- ix) The used oil burner must determine if the used oil contains above or below 1,000 ppm total halogens by: [§279.63(b)]
  - (1) Testing the used oil; [§279.63(b)(1)]
  - (2) Applying knowledge of the halogen content of the used oil in light of the materials or processes used; or [§279.63(b)(2)]
  - (3) If the used oil has been received from a processor/re-refiner subject to regulation under 40 CFR Part 279, Subpart F, using information provided by the processor/re-refiner. [§279.63(b)(3)]
- x) If the used oil contains greater than or equal to 1,000 ppm total halogens, it is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in 40 CFR Part 261, Subpart D. The owner or operator may rebut the presumption by demonstrating that the used oil does not contain hazardous waste (for example, by showing that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in Appendix VIII of 40 CFR Part 261). [§279.63(c)]
  - (1) The rebuttable presumption does not apply to metalworking oils/fluids containing chlorinated paraffins, if they are processed, through a tolling arrangement as described in §279.24(c), to reclaim metalworking oils/fluids. The presumption does apply to metalworking oils/fluids if such oils/fluids are recycled in any other manner, or disposed. [§279.63(c)(1)]
  - (2) The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units where the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units. [§279.63(c)(2)]
- xi) Record retention. Records of analyses conducted or information used to comply with §279.63(a), (b), and (c) must be maintained by the burner for at least three years. [§279.63(d)]
- xii) Used oil burners are subject to all applicable Spill Prevention, Control and Countermeasures (40 CFR Part 112) in addition to the requirements of 40 CFR Part 279. Used oil burners are also subject to the Underground Storage Tank (40 CFR Part 280) standards for used oil stored in underground tanks whether or not the used oil exhibits any characteristics of hazardous waste, in addition to the requirements of this 40 CFR Part 279. [§279.64]
  - (1) Storage units. Used oil burners may not store used oil in units other than tanks, containers, or units subject to regulation under 40 CFR Parts 264 or 265. [§279.64(a)]
  - (2) Condition of units. Containers and aboveground tanks used to store oil at burner facilities must be: [§279.64(b)]
    - (a) In good condition (no severe rusting, apparent structural defects or deterioration); and [§279.64(b)(1)]
    - (b) Not leaking (no visible leaks). [§279.64(b)(2)]

- (3) Secondary containment for containers. Containers used to store used oil at burner facilities must be equipped with a secondary containment system. [§279.64(c)]
  - (a) The secondary containment system must consist of, at a minimum: [§279.64(c)(1)]
    - (i) Dikes, berms or retaining walls; and [§279.64(c)(1)(i)]
    - (ii) A floor. The floor must cover the entire area within the dike, berm, or retaining wall. [§279.64(c)(1)(ii)]
  - (b) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water. [§279.64(c)(2)]
- (4) Secondary containment for existing aboveground tanks. Existing aboveground tanks used to store used oil at burner facilities must be equipped with a secondary containment system. [§279.64(d)]
  - (a) The secondary containment system must consist of, at a minimum: [§279.64(d)(1)]
    - (i) Dikes, berms or retaining walls; and [§279.64(d)(1)(i)]
    - (ii) A floor. The floor must cover the entire area within the dike, berm, or retaining wall except areas where existing portions of the tank meet the ground; or [§279.64(d)(1)(ii)]
    - (iii) An equivalent secondary containment system. [§279.64(d)(1)(iii)]
  - (b) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water. [§279.64(d)(2)]
- (5) Secondary containment for new aboveground tanks. New aboveground tanks used to store used oil at burner facilities must be equipped with a secondary containment system. [§279.64(e)]
  - (a) The secondary containment system must consist of, at a minimum: [§279.64(e)(1)]
    - (i) Dikes, berms or retaining walls; and [§279.64(e)(1)(i)]
    - (ii) A floor. The floor must cover the entire area within the dike, berm, or retaining wall; or [§279.64(e)(1)(ii)]
    - (iii) An equivalent secondary containment system. [§279.64(e)(1)(iii)]
  - (b) The entire containment system, including walls and floor, must be sufficiently impervious to used oil to prevent any used oil released into the containment system from migrating out of the system to the soil, groundwater, or surface water. [§279.64(e)(2)]
- (6) Labels. [§279.64(f)]
  - (a) Containers and aboveground tanks used to store used oil at burner facilities must be labeled or marked clearly with the words "Used Oil." [§279.64(f)(1)]
  - (b) Fill pipes used to transfer used oil into underground storage tanks at burner facilities must be labeled or marked clearly with the words "Used Oil." [§279.64(f)(2)]
- (7) Response to releases. Upon the detection of a release of used oil to the environment that is not subject to the requirements of 40 CFR Part 280, Subpart F and which has occurred after the effective date of the recycled used oil management program in effect in the State in which the release is located, a burner must perform the following cleanup steps: [§279.64(g)]
  - (a) Stop the release; [§279.64(g)(1)]
  - (b) Contain the released used oil; [§279.64(g)(2)]

- (c) Clean up and manage properly the released used oil and other materials; and  
[§279.64(g)(3)]
- (d) If necessary, repair or replace any leaking used oil storage containers or tanks prior to returning them to service. [§279.64(g)(4)]
- xiii) Acceptance. Used oil burners must keep a record of each used oil shipment accepted for burning. These records may take the form of a log, invoice, manifest, bill of lading, or other shipping documents. Records for each shipment must include the following information:  
[§279.65(a)]
  - (1) The name and address of the transporter who delivered the used oil to the burner;  
[§279.65(a)(1)]
  - (2) The name and address of the generator or processor/re-refiner from whom the used oil was sent to the burner; [§279.65(a)(2)]
  - (3) The EPA identification number of the transporter who delivered the used oil to the burner; [§279.65(a)(3)]
  - (4) The EPA identification number (if applicable) of the generator or processor/re-refiner from whom the used oil was sent to the burner; [§279.65(a)(4)]
  - (5) The quantity of used oil accepted; and [§279.65(a)(5)]
  - (6) The date of acceptance. [§279.65(a)(6)]
- xiv) Record retention. The records described in paragraph (a) of this section must be maintained for at least three years. [§279.65(b)]
- xv) Certification. Before a burner accepts the first shipment of off-specification used oil fuel from a generator, transporter, or processor/re-refiner, the burner must provide to the generator, transporter, or processor/re-refiner a one-time written and signed notice certifying that: [§279.66(a)]
  - (1) The burner has notified EPA stating the location and general description of his used oil management activities; and [§279.66(a)(1)]
  - (2) The burner will burn the used oil only in an industrial furnace or boiler identified in §279.61(a). [§279.66(a)(2)]
- xvi) Certification retention. The certification described in §279.66(a) must be maintained for three years from the date the burner last receives shipment of off-specification used oil from that generator, transporter, or processor/re-refiner. [§279.66(b)]
- xvii) Burners who generate residues from the storage or burning of used oil must manage the residues as specified in §279.10(e). [§279.67]
- b) Boiler cleaning waste:
  - i) Shall not exceed 400,000 gallons in any rolling 12-month period.
  - ii) The cleaning agent shall remain tetra-ammoniated EDTA or another non-HAP cleaning agent.
  - iii) The permittee shall retain SDS for the cleaning agent to verify that the agent is HAP free.
- c) Feedwater heater cleaning waste:
  - i) Shall not exceed 15,000 gallons in any rolling 12-month period.
  - ii) The cleaning agent shall remain ammonium persulfate.
- d) Spent demineralizer resin from the boiler water purification system:
  - i) Shall not exceed 15 tons in any rolling 12-month period.
  - ii) The spent demineralizer resin shall contain no HAPs with the exception of styrene and benzene.
  - iii) The styrene/benzene content of the spent demineralizer resin shall not exceed 65 percent.

- iv) The permittee shall maintain SDS documenting the HAP contents of all demineralizer resins burned within the boilers.
- e) Used ethylene glycol:
  - i) May be used as a freeze-conditioning agent for the coal supply.
  - ii) Shall not exceed 1.75 tons in any rolling 12-month period.
2. The permittee may also combust the following acceptable materials that are transferred to the installation:
  - a) Records may be destroyed at the request of Jefferson County. A county official shall be on site to supervise the burning of the records.
  - b) Confiscated materials may be destroyed at the request of the Jefferson County Sheriff's Department. An official from the Jefferson County Sheriff's Department shall be on site to supervise the burning of the confiscated materials.
3. Burning of acceptable materials shall only occur in Boilers 1 and 2.
4. Burning of acceptable materials shall only occur at or near full load to ensure that any changes to emissions are negligible.
5. No other materials may be combusted by the facility without written consent from the Air Pollution Control Program.

**Recordkeeping:**

1. The permittee shall maintain a log, using Attachment I or an equivalent form of acceptable material usage containing the following information:
  - a) Date of acceptable material burning.
  - b) Type of acceptable material burned.
  - c) Amount (tons) of acceptable material burned.
2. These records shall be retained for at least five years and made available for inspection to Department of Natural Resources' personnel upon request. [§70.6(a)(3)(ii)]

**Reporting:**

1. The permittee shall report to the Air Pollution Control Program's Compliance/Enforcement Section at P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov) no later than ten days after any exceedance of any of the terms imposed by this condition, or any malfunction which could possibly cause an exceedance of this condition. [§70.6(a)(3)(iii)]
2. The permittee shall report any deviations from the requirements of this permit condition in the semi-annual monitoring report and annual compliance certification required by Section V of this permit. [§70.6(a)(3)(iii)]

**10 CSR 10-6.065(6)(C)1.J Emissions Trading**

The permittee is being issued an Acid Rain Permit in conjunction with this operating permit (see Attachment G). The Acid Rain Permit will remain effective as long as this permit remains effective. The permittee shall submit an Acid Rain Permit renewal application in conjunction with their Title V operating permit renewal application.

The permittee is being issued a CAIR Permit in conjunction with this operating permit (see Attachment H). The CAIR Permit will remain effective as long as this permit remains effective. The permittee shall submit a CAIR Permit renewal application in conjunction with their Title V operating permit renewal application.

The permittee is subject to CSAPR (see Permit Condition 001).

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

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

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

1. Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements as of the date that this permit is issued, provided that:

- a) The applicable requirements are included and specifically identified in this permit, or
  - b) The permitting authority, in acting on the permit revision or permit application, determines in writing that other requirements, as specifically identified in the permit, are not applicable to the installation, and this permit expressly includes that determination or a concise summary of it.
2. Be aware that there are exceptions to this permit protection. The permit shield does not affect the following:
- a) The provisions of §303 of the Act or §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 EPA and the Air Pollution Control Program 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**

1. 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 Compliance and Enforcement Section at P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

2. §502(b)(10) changes. Changes that, under §502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), record keeping, reporting or compliance requirements of the permit.
  - a) Before making a change under this provision, the permittee shall provide advance written notice to the Air Pollution Control Program's Compliance and Enforcement Section at P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the Air Pollution Control Program shall place a copy with the permit in the public file. Written notice shall be provided to 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 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 permit, but not otherwise addressed in or prohibited by this permit, shall not be considered to be constrained by this permit for purposes of the off-permit provisions of this section. Off-permit changes shall be subject to the following requirements and restrictions:
  - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is subject to any requirements under Title IV of the Act or is a Title I modification;
  - b) The permittee must provide contemporaneous written notice of the change to the Air Pollution Control Program's Compliance and Enforcement Section at P.O. Box 176, Jefferson City, MO 65102 or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change.
  - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes; and
  - d) The permit shield shall not apply to these changes.

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

The application utilized in the preparation of this permit was signed by Ajay K. Arora, Vice President Environmental Services & Generation Resource Planning. In a letter dated June 14, 2016, Ameren designated the following individuals as Responsible Officials for the Rush Island Energy Center:

James V. Vaughn – Director Rush Island Energy Center

Tim E. Lafser – Senior Director – Power Operations  
Ajay K. Arora – Vice President Power Operations & Energy Management  
Steven C. Whitworth – Senior Director Environmental Policy and Analysis

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 permittee 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 permittee 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**

1. This permit may be reopened for cause if:
  - a) The Missouri Department of Natural Resources receives notice from EPA that a petition for disapproval of a permit pursuant to §70.8(d) has been granted, provided that the reopening may be stayed pending judicial review of that determination,
  - b) 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,
  - c) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
    - i) The permit has a remaining term of less than three years;
    - ii) The effective date of the requirement is later than the date on which the permit is due to expire; or
    - iii) 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,
  - d) 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
  - e) 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 J contains a list of abbreviations and acronyms used throughout this permit.





**Attachment C**

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

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

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







**Attachment G**  
Acid Rain Permit

## **TITLE IV: ACID RAIN PERMIT**

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

**Installation Name:** Ameren Missouri Rush Island Energy Center  
**ORIS Code:** 6155  
**Project Number:** 2015-11-008 & 2016-10-057  
**Unit ID:** 1 and 2

The permit application submitted for this source, as corrected by the Missouri Department of Natural Resources' Air Pollution Control Program is attached. The permittee shall comply with the requirements set forth in this application.

The number of allowances actually held by the permittee in each unit's Allowance Tracking System account may differ from the number allocated by the U.S. EPA. Pursuant to §72.9(c) and §72.84 these differences do not necessitate a revision to any unit SO<sub>2</sub> allowance allocations identified in this permit.

Pursuant to 40 CFR Part 76, the Missouri Department of Natural Resources' Air Pollution Control Program approves the Phase II NO<sub>x</sub> Compliance Plan and Phase II NO<sub>x</sub> Averaging Plan submitted for these units, effective for calendar years 2017 through 2021. These units qualify as Group 1, Phase II tangentially fired boilers per §73.10(b) and §76.2. In addition to complying with these NO<sub>x</sub> limits, the permittee shall comply with all other applicable requirements of 40 CFR Part 76, including the requirement to reapply for a NO<sub>x</sub> compliance plan and requirements covering excess emissions.

This acid rain permit is being issued in conjunction with this operating permit and is effective for the same period as stated on the cover page of the operating permit. The permittee shall submit an application for renewal of this permit in conjunction with the operating permit renewal application.



Ameren Missouri Rush Island Energy Center  
Plant Name (from Step 1)

Acid Rain - Page 2

**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.

Ameren Missouri Rush Island Energy Center  
Plant Name (from Step 1)

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) Ameren Missouri Rush Island Energy Center

Acid Rain - Page 4

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<sub>x</sub> 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:

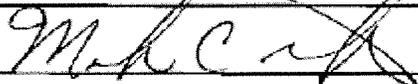
- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the 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 Mark C. Birk - Designated Representative	
Signature 	Date 10/27/15



United States  
 Environmental Protection Agency  
 Acid Rain Program

OMB No. 2060-0258  
 Approval expires 11/30/2012

## Phase II NO<sub>x</sub> Compliance Plan

For more information, see Instructions and refer to 40 CFR 76.9

Page  of

This submission is:  New  Revised

**STEP 1**  
 Indicate plant name, State,  
 and ORIS code from NADB,  
 if applicable

Plant Name <b>Rush Island</b>	MO State	6155 ORIS Code
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**STEP 2**

Identify each affected Group 1 and Group 2 boiler using the boiler ID# from NADB, if applicable. Indicate boiler type: "CB" for cell burner, "CY" for cyclone, "DBW" for dry bottom wall-fired, "T" for tangentially fired, "V" for vertically fired, and "WB" for wet bottom. Indicate the compliance option selected for each unit.

ID#	1	ID#	2	ID#		ID#		ID#		ID#	
Type	T	Type	T	Type		Type		Type		Type	

(a) Standard annual average emission limitation of 0.50 lb/mmBtu (for Phase I dry bottom wall-fired boilers)

<input type="checkbox"/>											
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(b) Standard annual average emission limitation of 0.45 lb/mmBtu (for Phase I tangentially fired boilers)

<input type="checkbox"/>											
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(c) EPA-approved early election plan under 40 CFR 76.9 through 12/31/97 (also indicate above emission limit specified in plan)

<input type="checkbox"/>											
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(d) Standard annual average emission limitation of 0.46 lb/mmBtu (for Phase I dry bottom wall-fired boilers)

<input type="checkbox"/>											
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(e) Standard annual average emission limitation of 0.40 lb/mmBtu (for Phase I tangentially fired boilers)

<input type="checkbox"/>											
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(f) Standard annual average emission limitation of 0.68 lb/mmBtu (for cell burner boilers)

<input type="checkbox"/>											
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(g) Standard annual average emission limitation of 0.86 lb/mmBtu (for cyclone boilers)

<input type="checkbox"/>											
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(h) Standard annual average emission limitation of 0.80 lb/mmBtu (for vertically fired boilers)

<input type="checkbox"/>											
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(i) Standard annual average emission limitation of 0.84 lb/mmBtu (for wet bottom boilers)

<input type="checkbox"/>											
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(j) NO<sub>x</sub> Averaging Plan (include NO<sub>x</sub> Averaging form)

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>									
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(k) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(A) (check the standard emission limitation box above for most stringent limitation applicable to any unit utilizing stack)

<input type="checkbox"/>											
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(l) Common stack pursuant to 40 CFR 75.17(a)(2)(i)(B) with NO<sub>x</sub> Averaging (check the NO<sub>x</sub> Averaging Plan box and include NO<sub>x</sub> Averaging form)

<input type="checkbox"/>											
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Rush Island

Plant Name (from Step 1)

STEP 2, cont'd.

	ID# 1	ID# 2	ID#	ID#	ID#	ID#
Type	T	T				
(m) EPA-approved common stack apportionment method pursuant to 40 CFR 75.17(a)(2)(i)(C), (a)(2)(iii)(B), or (b)(2)	<input type="checkbox"/>					
(n) AEL (include Phase II AEL Demonstration Period, Final AEL Petition, or AEL Renewal form as appropriate)	<input type="checkbox"/>					
(o) Petition for AEL demonstration period or final AEL under review by U.S. EPA or demonstration period ongoing	<input type="checkbox"/>					
(p) Repowering extension plan approved or under review	<input type="checkbox"/>					

STEP 3

Read the standard requirements and certification, enter the name of the designated representative, sign &

Standard Requirements

**General:** This source is subject to the standard requirements in 40 CFR 72.9 (consistent with 40 CFR 76.8(e)(1)(i)). These requirements are listed in this source's Acid Rain Permit.

Special Provisions for Early Election Units

**Nitrogen Oxides:** A unit that is governed by an approved early election plan shall be subject to an emissions limitation for NO<sub>x</sub> as provided under 40 CFR 76.8(a)(2) except as provided under 40 CFR 76.8(e)(3)(iii).

**Liability:** The owners and operators of a unit governed by an approved early election plan shall be liable for any violation of the plan or 40 CFR 76.8 at that unit. The owners and operators shall be liable, beginning January 1, 2000, for fulfilling the obligations specified in 40 CFR Part 77.

**Termination:** An approved early election plan shall be in effect only until the earlier of January 1, 2008 or January 1 of the calendar year for which a termination of the plan takes effect. If the designated representative of the unit under an approved early election plan fails to demonstrate compliance with the applicable emissions limitation under 40 CFR 76.5 for any year during the period beginning January 1 of the first year the early election takes effect and ending December 31, 2007, the permitting authority will terminate the plan. The termination will take effect beginning January 1 of the year after the year for which there is a failure to demonstrate compliance, and the designated representative may not submit a new early election plan. The designated representative of the unit under an approved early election plan may terminate the plan any year prior to 2008 but may not submit a new early election plan. In order to terminate the plan, the designated representative must submit a notice under 40 CFR 72.40(d) by January 1 of the year for which the termination is to take effect. If an early election plan is terminated any year prior to 2000, the unit shall meet, beginning January 1, 2000, the applicable emissions limitation for NO<sub>x</sub> for Phase II units with Group 1 boilers under 40 CFR 76.7. If an early election plan is terminated on or after 2000, the unit shall meet, beginning on the effective date of the termination, the applicable emissions limitation for NO<sub>x</sub> for Phase II units with Group 1 boilers under 40 CFR 76.7.

Certification

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: Steven C. Whitworth	
Signature: 	Date: 8/4/2017

United States  
 Environmental Protection Agency  
 Acid Rain Program

OMB No. 2060-0258  
 Approval expires 11/30/2012



# Phase II NO<sub>x</sub> Averaging Plan

For more information, see instructions and refer to 40 CFR 76.11 Page 1

This submission is:  New  Revised Page 1 of 1

**STEP 1**

Identify the units participating in this averaging plan by plant name, State, and boiler ID# from NADB. In column (a), fill in each unit's applicable emission limitation from 40 CFR 76.5, 76.6, or 76.7. In column (b), assign an alternative contemporaneous annual emissions limitation (ACEL) in lb/mmBtu to each unit. In column (c), assign an annual heat input limitation in mmBtu to each unit. Continue to page 3 if necessary.

Plant Name	State	ID#	(a) Emission Limitation	(b) ACEL	(c) Annual Heat Input Limit
Labadie	MO	1	0.45	0.45	41,000,000
Labadie	MO	2	0.45	0.45	41,000,000
Labadie	MO	3	0.45	0.45	41,000,000
Labadie	MO	4	0.45	0.45	41,000,000
Meramec	MO	1	0.40	0.40	450,000
Meramec	MO	2	0.40	0.40	450,000
Meramec	MO	3	0.46	0.46	3,000,000
Meramec	MO	4	0.46	0.46	7,000,000
Rush Island	MO	1	0.40	0.40	41,500,000

**STEP 2**

Use the formula to enter the Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan and the Btu-weighted annual average emission rate for the same units if they are operated in compliance with 40 CFR 76.5, 76.6, or 76.7. The former must be less than or equal to the latter.

Btu-weighted annual emission rate averaged over the units if they are operated in accordance with the proposed averaging plan

0.510

$$\frac{\sum_{i=1}^n (R_{Li} \times HI_i)}{\sum_{i=1}^n HI_i}$$

Btu-weighted annual average emission rate for same units operated in compliance with 40 CFR 76.5, 76.6 or 76.7

0.510

$$\frac{\sum_{i=1}^n [R_i \times HI_i]}{\sum_{i=1}^n HI_i}$$

≤

Where,

- R<sub>Li</sub> = Alternative contemporaneous annual emission limitation for unit i, in lb/mmBtu, as specified in column (b) of Step 1;
- R<sub>i</sub> = Applicable emission limitation for unit i, in lb/mmBtu, as specified in column (a) of Step 1;
- HI<sub>i</sub> = Annual heat input for unit i, in mmBtu, as specified in column (c) of Step 1;
- n = Number of units in the averaging plan



Plant Name (from Step 1) **Rush Island**

NO<sub>x</sub> Averaging - Page 2

STEP 3

Mark one of the two options and enter dates.

This plan is effective for calendar year \_\_\_\_\_ through calendar year \_\_\_\_\_ unless notification to terminate the plan is given.

Treat this plan as  identical plans, each effective for one calendar year for the following calendar years: 2017, 2018, 2019, 2020 and 2021 unless notification to terminate one or more of these plans is given.

STEP 4

Read the special provisions and certification, enter the name of the designated representative, and sign and date.

Special Provisions

Emission Limitations

Each affected unit in an approved averaging plan is in compliance with the Acid Rain emission limitation for NO<sub>x</sub> under the plan only if the following requirements are met:

- (i) For each unit, the unit's actual annual average emission rate for the calendar year, in lb/mmBtu, is less than or equal to its alternative contemporaneous annual emission limitation in the averaging plan, and
  - (a) For each unit with an alternative contemporaneous emission limitation less stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year does not exceed the annual heat input limit in the averaging plan,
  - (b) For each unit with an alternative contemporaneous emission limitation more stringent than the applicable emission limitation in 40 CFR 76.5, 76.6, or 76.7, the actual annual heat input for the calendar year is not less than the annual heat input limit in the averaging plan, or
  - (ii) If one or more of the units does not meet the requirements of (i), the designated representative shall demonstrate, in accordance with 40 CFR 76.11(d)(1)(ii)(A) and (B), that the actual Btu-weighted annual average emission rate for the units in the plan is less than or equal to the Btu-weighted annual average rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations in 40 CFR 76.5, 76.6, or 76.7.
  - (iii) If there is a successful group showing of compliance under 40 CFR 76.11(d)(1)(ii)(A) and (B) for a calendar year, then all units in the averaging plan shall be deemed to be in compliance for that year with their alternative contemporaneous emission limitations and annual heat input limits under (i).

Liability

The owners and operators of a unit governed by an approved averaging plan shall be liable for any violation of the plan or this section at that unit or any other unit in the plan, including liability for fulfilling the obligations specified in part 77 of this chapter and sections 113 and 411 of the Act.

Termination

The designated representative may submit a notification to terminate an approved averaging plan, in accordance with 40 CFR 72.40(d), no later than October 1 of the calendar year for which the plan is to be terminated.

Certification

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 <b>Steven C. Whitworth</b>	
Signature 	Date <b>8/4/2017</b>

**Attachment H**  
CAIR Permit

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

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

**Installation Name:** Ameren Missouri Rush Island Energy Center  
**ORIS Code:** 6155  
**Unit IDs:** Units 1 and 2

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 permittee shall comply with the standard requirements and special provisions set forth in this application.

This CAIR Permit applies only to Units 1 and 2 at Ameren Missouri Rush Island Energy Center (099-0016).

This CAIR permit is being issued in conjunction with this operating permit and is effective for the same period as stated on the cover page of the operating permit. The designated representative shall submit an application for renewal of this permit in conjunction with the operating permit renewal application.



Plant Name (from Step 1) **Ameren Missouri Rush Island Energy Center**

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<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) and each CAIR NO<sub>x</sub> unit, CAIR SO<sub>2</sub> unit, and CAIR NO<sub>x</sub> Ozone Season unit (as applicable) at the source shall comply with the monitoring, reporting, and recordkeeping requirements of subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 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<sub>x</sub> source, CAIR SO<sub>2</sub> source, and CAIR NO<sub>x</sub> Ozone Season source (as applicable) with the CAIR NO<sub>x</sub> emissions limitation, CAIR SO<sub>2</sub> emissions limitation, and CAIR NO<sub>x</sub> Ozone Season emissions limitation (as applicable) under paragraph (c) of §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<sub>x</sub> source and each CAIR NO<sub>x</sub> unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> allowances available for compliance deductions for the control period under §96.154(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> units at the source, as determined in accordance with subpart HH of 40 CFR part 96.

(2) A CAIR NO<sub>x</sub> 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<sub>x</sub> 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<sub>x</sub> allowance was allocated.

(4) CAIR NO<sub>x</sub> allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Allowance Tracking System accounts in accordance with subparts FF, GG, and II of 40 CFR part 96.

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

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

(7) Upon recordation by the Administrator under subpart EE, FF, GG, or II of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR NO<sub>x</sub> allowance to or from a CAIR NO<sub>x</sub> source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR NO<sub>x</sub> unit.

Sulfur dioxide emission requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO<sub>2</sub> source and each CAIR SO<sub>2</sub> unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO<sub>2</sub> allowances available for compliance deductions for the control period under §96.254(a) and (b) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO<sub>2</sub> units at the source, as determined in accordance with subpart HHH of 40 CFR part 96.

(2) A CAIR SO<sub>2</sub> 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 SO<sub>2</sub> 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 SO<sub>2</sub> allowance was allocated.

(4) CAIR SO<sub>2</sub> allowances shall be held in, deducted from, or transferred into or among CAIR SO<sub>2</sub> Allowance Tracking System accounts in accordance with subparts FFF, GGG, and III of 40 CFR part 96.

(5) A CAIR SO<sub>2</sub> allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO<sub>2</sub> Trading Program. No provision of the CAIR SO<sub>2</sub> Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §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 SO<sub>2</sub> allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart FFF, GGG, or III of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR SO<sub>2</sub> allowance to or from a CAIR SO<sub>2</sub> source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR SO<sub>2</sub> unit.

Nitrogen oxides ozone season emissions requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO<sub>x</sub> Ozone Season source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO<sub>x</sub> Ozone Season allowances available for compliance deductions for the control period under §96.354(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO<sub>x</sub> Ozone Season units at the source, as determined in accordance with subpart HHHH of 40 CFR part 96.

(2) A CAIR NO<sub>x</sub> 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<sub>x</sub> 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<sub>x</sub> Ozone Season allowance was allocated.

(4) CAIR NO<sub>x</sub> Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO<sub>x</sub> Ozone Season Allowance Tracking System accounts in accordance with subparts FFFF, GGGG, and IIII of 40 CFR part 96.

(5) A CAIR NO<sub>x</sub> allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO<sub>x</sub> Ozone Season Trading Program. No provision of the CAIR NO<sub>x</sub> Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §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<sub>x</sub> 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<sub>x</sub> Ozone Season allowance to or from a CAIR NO<sub>x</sub> Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

Plant Name (from Step 1) Ameren Missouri Rush Island Energy Center

CAIR Permit Application  
Page 3

STEP 3,  
continued

(d) Excess emissions requirements.

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

(1) The owners and operators of the source and each CAIR NO<sub>x</sub> unit at the source shall surrender the CAIR NO<sub>x</sub> allowances required for deduction under §96.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and

(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

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

(1) The owners and operators of the source and each CAIR SO<sub>2</sub> unit at the source shall surrender the CAIR SO<sub>2</sub> allowances required for deduction under §96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and

(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

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

(1) The owners and operators of the source and each CAIR NO<sub>x</sub> Ozone Season unit at the source shall surrender the CAIR NO<sub>x</sub> Ozone Season allowances required for deduction under §96.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and

(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

(e) Recordkeeping and Reporting Requirements.

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

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

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

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

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

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

(f) Liability.

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

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

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

Plant Name (from Step 1) Ameren Missouri Rush Island Energy Center

CAIR Permit Application  
Page 4

**STEP 3,  
continued**

(g) Effect on Other Authorities.

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

**Certification**

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

Name Steven C. Whitworth- Alternate Designated Representative

Signature



Date

8/4/2017



**Attachment J**  
Abbreviations and Acronyms

<b>°C</b> .....degrees Celsius	<b>Mgal</b> ..... 1,000 gallons
<b>°F</b> .....degrees Fahrenheit	<b>MW</b> ..... megawatt
<b>AAQIA</b> .....ambient air quality impact analysis	<b>MHDR</b> ..... maximum hourly design rate
<b>acfm</b> .....actual cubic feet per minute	<b>MMBtu</b> ..... Million British thermal units
<b>BACT</b> .....Best Available Control Technology	<b>mmHg</b> .....millimeters mercury
<b>BMPs</b> .....Best Management Practices	<b>MMscf</b> ..... Million standard cubic feet
<b>Btu</b> .....British thermal unit	<b>MSDS</b> ..... Material Safety Data Sheet
<b>CAM</b> ..... Compliance Assurance Monitoring	<b>NAAQS</b> ..... National Ambient Air Quality Standards
<b>CAS</b> .....Chemical Abstracts Service	<b>NESHAPs</b> . National Emissions Standards for Hazardous Air Pollutants
<b>CEMS</b> ..... Continuous Emission Monitor System	<b>NO<sub>x</sub></b> ..... nitrogen oxides
<b>CFR</b> .....Code of Federal Regulations	<b>NSPS</b> ..... New Source Performance Standards
<b>CO</b> .....carbon monoxide	<b>NSR</b> ..... New Source Review
<b>CO<sub>2</sub></b> .....carbon dioxide	<b>PM</b> ..... particulate matter
<b>CO<sub>2</sub>e</b> .....carbon dioxide equivalent	<b>PM<sub>2.5</sub></b> ..... particulate matter less than 2.5 microns in aerodynamic diameter
<b>COMS</b> .....Continuous Opacity Monitoring System	<b>PM<sub>10</sub></b> ..... particulate matter less than 10 microns in aerodynamic diameter
<b>CSR</b> .....Code of State Regulations	<b>ppm</b> ..... parts per million
<b>dscf</b> .....dry standard cubic feet	<b>PSD</b> ..... Prevention of Significant Deterioration
<b>dscm</b> .....dry standard cubic meter	<b>psi</b> .....pounds per square inch
<b>EIQ</b> .....Emission Inventory Questionnaire	<b>PTE</b> ..... potential to emit
<b>EP</b> .....Emission Point	<b>RACT</b> ..... Reasonable Available Control Technology
<b>EPA</b> .....Environmental Protection Agency	<b>RAL</b> ..... Risk Assessment Level
<b>EU</b> .....Emission Unit	<b>SCC</b> ..... Source Classification Code
<b>FGD</b> ..... flue gas desulfurization	<b>scfm</b> ..... standard cubic feet per minute
<b>FIRE</b> .....EPA's Factor Information Retrieval System	<b>SCR</b> ..... selective catalytic reduction
<b>fps</b> .....feet per second	<b>SIC</b> ..... Standard Industrial Classification
<b>ft</b> .....feet	<b>SIP</b> ..... State Implementation Plan
<b>GACT</b> ..... Generally Available Control Technology	<b>SMAL</b> ..... Screening Model Action Levels
<b>GHG</b> .....Greenhouse Gas	<b>SO<sub>x</sub></b> ..... sulfur oxides
<b>gpm</b> .....gallons per minute	<b>SO<sub>2</sub></b> ..... sulfur dioxide
<b>gr</b> .....grains	<b>tph</b> ..... tons per hour
<b>GWP</b> ..... Global Warming Potential	<b>tpy</b> ..... tons per year
<b>HAP</b> .....Hazardous Air Pollutant	<b>VMT</b> ..... vehicle miles traveled
<b>hr</b> .....hour	<b>VOC</b> ..... Volatile Organic Compounds
<b>HP</b> .....horsepower	
<b>lb</b> .....pound	
<b>lb/hr</b> .....pounds per hour	
<b>MACT</b> .....Maximum Achievable Control Technology	
<b>µg/m<sup>3</sup></b> .....micrograms per cubic meter	
<b>m/s</b> .....meters per second	
<b>mg</b> .....milligrams	





## STATEMENT OF BASIS

### INSTALLATION DESCRIPTION

Ameren Missouri Rush Island Energy Center is a power plant that converts the energy from coal and other fuels to produce steam that powers electrical generating equipment. There are two tangentially fired coal boilers on site. The installation has coal unloading, conveying, stockpiles and pulverizing equipment to supply the coal fired boilers. The installation also operates an auxiliary distillate oil fired boiler. The facility is a major source of CO, CO<sub>2</sub>e, NO<sub>x</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, VOC, HAP, Hydrogen Fluoride (7664-39-3), Hydrogen Chloride (7647-01-0), and Formaldehyde (50-00-0). The installation is a named source; therefore, fugitive emissions count towards major source applicability.

### Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tons per year) <sup>27</sup>
PM	2,048.56
PM <sub>10</sub>	1,601.73
PM <sub>2.5</sub>	951.56
SO <sub>2</sub>	59,568.22
NO <sub>x</sub>	20,772.09
VOC	215.69
CO	1,898.28
HAP	602.84
Hydrogen Fluoride (7664-39-3)	468.77
Hydrogen Chloride (7647-01-0)	103.75
Formaldehyde (50-00-0)	23.13
Benzene (71-43-2)	4.06
Selenium Compounds (20-16-6)	4.06
Benzyl Chloride (100-44-7)	2.19
Isophorone (78-59-1)	1.81
Acetaldehyde (75-07-0)	1.78
Methyl Chloride (74-87-3)	1.66

<sup>27</sup> Each emission unit was evaluated at 8,760 hours of uncontrolled annual operation unless otherwise noted:

- The emergency generator and fire pump were evaluated at 500 hours of annual operation due to their emergency-use only status.
- Boilers 1 & 2 use ESPs to comply with the MATS PM limit.
- Boilers 1 & 2 use activated carbon injection to comply with the MATS Hg limit.
- The gasoline refueling station was evaluated at ≤ 10,000 gallons of throughput per month.
- PAC usage was evaluated at 3,416 tons per year.
- The PAC silos operate bin vent filters. The bin vent filters are considered an inherent control device.
- Potential emissions from MH-1, MH-2, and MH-3 are based on a maximum moisture content of 4.8% due to the operation of wet suppression equipment.
- Potential emissions from M-20, M-21, M-22, and M-23 were determined using fabric filter controlled emission factors.

<b>Pollutant</b>	<b>Potential to Emit (tons per year)<sup>27</sup></b>
Manganese Compounds (20-12-2)	1.53
Lead Compounds (20-11-1)	1.31
Arsenic Compounds (20-01-9)	1.28
Polycyclic Organic Matter (TP15)	1.25
Propionaldehyde (123-38-6)	1.19
Acrolein (107-02-8)	0.91
Methylene Chloride (75-09-2)	0.91
Nickel Compounds (20-14-4)	0.88
Chromium Compounds (20-06-4)	0.81
Toluene (108-88-3)	0.75
Methylhydrazine (60-34-4)	0.53
Methyl Bromide (74-83-9)	0.50
Carbon Disulfide (74-15-0)	0.41
Cobalt Compounds (20-07-5)	0.31
Ethylbenzene (100-41-4)	0.29
Bis(2-Ethylhexyl)Phthalate (DEHP) (117-81-7)	0.23
Hexane (110-54-3)	0.21
Chloroform (67-66-3)	0.18
Cadmium Compounds (20-04-2)	0.16
Dimethyl Sulfate (64-67-5)	0.15
Tetrachloroethylene (127-18-4)	0.13
Ethyl Chloride (75-00-3)	0.13
Ethylene Dichloride (107-06-2)	0.13
Bromoform (75-25-2)	0.12
Xylene (1330-20-7)	0.12
Methyl Tert-Butyl Ether (1634-04-4)	0.11
Styrene (100-42-5)	0.08
Chlorobenzene (108-90-7)	0.07
Beryllium Compounds (20-03-1)	0.07
1,1,1-Trichloroethane (79-00-5)	0.06
Methyl Methacrylate (80-62-6)	0.06
Mercury Compounds (20-13-3)	0.06
Antimony Compounds (20-00-8)	0.06
Phenol (108-95-2)	0.05
Acetophenone (98-86-2)	0.05
Vinyl Acetate (108-05-4)	0.02
2-Chloroacetophenone (532-27-4)	0.02
Cumene (98-82-8)	0.02

### 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 February 17, 2015
2. Acid Rain Permit Application, received October 20, 2015
3. Acid Rain Permit Phase II NO<sub>x</sub> Compliance Plan, received August 4, 2017
4. CAIR Permit Application, received August 7, 2017
5. 2011, 2012, 2013, 2014, and 2015 Emissions Inventory Questionnaires
6. U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition
7. EPA's WebFIRE: <https://cfpub.epa.gov/webfire/index.cfm?action=fire.SearchEmissionFactors>
8. Construction Permits 0992-017, 0992-017A, 012001-021, 012004-007, and 062016-014
9. Temporary Construction Permits 052011-009 and 102011-013
10. No Construction Permit Required Determinations Issued October 9, 2002, July 19, 2012, August 23, 2013, and January 1, 2014

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

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

10 CSR 10-5.510 *Control of Emissions of NO<sub>x</sub>* is not applicable because the facility is subject to and in compliance with Phase II Acid Rain Requirements.

10 CSR 10-5.520 *Control of VOC Emissions From Existing Major Sources* is not applicable because the facility must already comply with one or more rules under Title 10, Division 10, Chapter 5 of the CSR that regulates VOC emissions.

10 CSR 10-5.500 *Control of Emissions From Volatile Organic Liquid Storage* is not applicable to the installation. 10 CSR 10-5.500(1)(B) states that this regulation applies to storage containers of volatile organic liquid with a maximum true vapor pressure of 0.5 psia or greater in any stationary tank, reservoir or other container of 40,000 gallon capacity or greater. TK-1 is the only tank at the installation with a capacity of 40,000 gallons or more. TK-1 contains fuel oil which has a maximum true vapor pressure of less than 0.5 psia; therefore, TK-1 is not subject to this regulation at this time.

10 CSR 10-5.570 *Control of Sulfur Emissions From Stationary Boilers* is not applicable to the installation.

- Boilers B-1 and B-2 are subject to and in compliance with Phase II Acid Rain requirements; therefore, they are exempt from this regulation per 10 CSR 10-5.570(1)(C)1.
- Auxiliary Boiler B-5 exclusively combust fuel oil with less than 0.5 weight% sulfur; therefore, it is exempt from this regulation per 10 CSR 10-5.570(1)(C)5.

10 CSR 10-6.350 *Emission Limitations and Emissions Trading of NO<sub>x</sub>* is not applicable to this facility. The facility is exempted under 10 CSR 10-6.350(1)(F) because the facility is subject to and implementing the requirements of 10 CSR 10-6.364 *Clean Air Interstate Rule Seasonal NO<sub>x</sub> Trading Program*.

10 CSR 10-6.360 *Control of NO<sub>x</sub> Emissions From Electric Generating Units and Non-Electric Generating Boilers* is not applicable to this facility. The facility is exempted under 10 CSR 10-6.360(1)(H) because the facility is subject to and implementing the requirements of 10 CSR 10-6.364 *Clean Air Interstate Rule Seasonal NO<sub>x</sub> Trading Program*.

10 CSR 10-6.400 *Restriction of Emission of PM From Industrial Processes* is not applicable to the installation at this time. The following exemptions apply:

- The burning of fuel for indirect heating [10 CSR 10-6.400(1)(B)6]
- Fugitive emissions [10 CSR 10-6.400(1)(B)7]
- Emission units that at maximum design capacity have a potential to emit less than 0.5 lb/hr of PM [10 CSR 10-6.400(1)(B)12]
- The grinding, crushing, and conveying operations at a power plant [10 CSR 10-6.400(1)(B)13]
- Any PM emission unit that is subject to a federally enforceable requirement to install, operate, and maintain a PM control device system that controls at least 90% of PM emissions [10 CSR 10-6.400(1)(B)15]

### **Construction Permit History**

Construction Permit 0992-017, Issued September 17, 1992:

Construction Permit 0992-017A, Issued December 14, 1999:

- This minor NSR permit and amendment is for the installation of SO<sub>3</sub> injection systems on Boilers 1 & 2.
- The SO<sub>3</sub> injection systems are no longer in use; therefore, this construction permit and its conditions are no longer considered applicable requirements. If the installation wishes to conduct SO<sub>3</sub> injection in the future, the installation will need to evaluate if a new construction permit is required.

Construction Permit 012001-021, Issued January 24, 2001:

- This minor NSR permit is for the installation of an unloading and conveying system (MH-1, MH-2, & MH-3) to transport materials (mainly solid fuels) from the Mississippi River to the installation.
- Special Condition 1 has been applied in Permit Condition 010.

No Construction Permit Required Determination, Issued October 9, 2002:

- This no construction permit required determination was issued to Mineral Resource Technologies, LLC for the construction and installation of a fly ash handling system (M-20, M-21, M-22, and M-23). The fly ash handling system was purchased by Ameren Corporation in April 2016.

Construction Permit 012004-007, Issued January 2, 2004:

- This minor NSR permit is for the installation of a 1,000 kW diesel generator (B-4) with a 600 gallon diesel fuel tank (TK-12).
- Special Condition 1 has been applied in Permit Condition 016.

Construction Permit 052011-009, Issued May 18, 2011:

- This temporary permit allowed the installation to conduct testing of dry sorbent injection on Boilers 1 and 2.
- This permit expired August 1, 2011.

Construction Permit 102011-013, Issued October 24, 2011:

- This temporary permit allowed the installation to conduct testing of two coal additives, M-Sorb and S-Sorb, on Boilers 1 and 2.
- This permit expired February 12, 2012.

No Construction Permit Required Determination, Issued July 19, 2012:

- This no construction permit required determination was for the use of CERT fuel additives (M-Sorb and S-Sorb) in Boilers 1 and 2. This project did not evaluate the modification of Boilers 1 and 2. Ameren Corporation stated that they performed a reasonable possibility analysis that determined post-change emissions from the boilers would not increase.

No Construction Permit Required Determination, Issued August 23, 2013:

- This no construction permit required determination was for the use of powdered activated carbon (PAC) injection and associated handling equipment. The PAC silos were evaluated with bin vent filters. The bin vent filters were considered inherent control devices.

No Construction Permit Required Determination, Issued January 1, 2014:

- This project clarifies the previously issued no construction permit determination for the use of PAC injection and associated handling equipment. The Air Pollution Control Program did not evaluate the modification of Boilers 1 and 2 as part of these projects. Ameren Corporation stated that they performed a reasonable possibility analysis that determined post-change emissions from the boilers would not increase.

Construction Permit 062016-014, Issued June 30, 2016:

Construction Permit 062016-014A, Issued June 21, 2017:

- This minor NSR permit is for changes to the bottom and economizer ash handling systems, fly ash handling systems, as well as the wastewater treatment basin.
- The installation has not yet completed construction or begun operation of the emission sources in this construction permit. Special Condition 8 requires the installation to include the provisions of this construction permit in their operating permit no later than one year after the last emission source commences operation.

Construction Permit 072017-020, Issued July 31, 2017:

- This minor NSR permit is for the installation of a new auxiliary boiler, B-5.
- Special Conditions 1 – 3 have been applied in Permit Condition 018.

### **NSPS Applicability**

40 CFR Part 60, Subparts D - *Standards of Performance for Fossil-Fuel-Fired Steam Generators*; Da - *Standards of Performance for Electric Utility Steam Generating Units*; and Dc - *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units* are not applicable to the installation and have not been applied within this permit. NSPS D applies to fossil-fuel-fired steam generating units with a heat input rate greater than 250 MMBtu/hr constructed after August 17, 1971. [§60.40(a) and (c)] NSPS Da applies to steam generating units with a heat input rate greater than 250 MMBtu/hr constructed after September 18, 1978. [§60.40a(a)(2)] NSPS Dc is only applicable to

steam generating units with a heat input rate greater than 10 MMBtu/hr constructed after June 9, 1989. [§60.40c(a)]

- Boilers B-1 and B-2 were installed in June of 1971 prior to the earliest applicable date in these regulations of August 17, 1971 and have not since been modified or reconstructed.
- Auxiliary Boiler B-5 has a design heat input rate of 155 MMBtu/hr; therefore, it is too small to be subject to NSPS D and NSPS Da and too large to be subject to NSPS Dc.

40 CFR Part 60, Subpart Db - *Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units* is applicable to Auxiliary Boiler B-5 and has been applied in Permit Condition 019.

- The Auxiliary Boiler B-5 combusts oil which meets the definition of very low sulfur oil at 60.41b; therefore, it is exempt from the SO<sub>2</sub> standard in §60.42b(k)(1) per §60.42b(k)(2), exempt from the PM standard in §60.43b(h)(1) per §60.43b(h)(5), and exempt from the NO<sub>x</sub> standard per §60.44b(k).
- NSPS Db is only applicable to steam generating units with a heat input rate greater than 100 MMBtu/hr constructed, modification, or reconstruction after June 19, 1984 per §60.40b(a). Boilers B-1 and B-2 were installed in June of 1971 prior to June 19, 1984 and have not since been modified or reconstructed.

40 CFR Part 60, Subpart E - *Standards of Performance for Incinerators* is not applicable to this facility. The facility has taken a voluntary limitation to combust less than 11 tons per day of municipal solid waste which is below the minimum threshold listed within the regulation of 50 tons per day municipal solid waste combusted.

40 CFR Part 60, Subparts K - *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978*; Ka - *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984*; and Kb - *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984* are not applicable. The only storage vessel at this facility of an appropriate size (40,000 gallons plus) is the 200,000 gallon storage tank, TK-1. TK-1 currently contains fuel oil which is exempt from these rules as it is not classified as a *petroleum liquid*: “petroleum, condensate, and any finished or intermediate products manufactured in a petroleum refinery but does not mean #2 through #6 fuel oils as specified in ASTM D396–78, 89, 90, 92, 96, or 98, gas turbine fuel oils #2–GT through #4–GT as specified in ASTM D2880–78 or 96, or diesel fuel oils #2–D and #4–D as specified in ASTM D975–78, 96, or 98a. (These three methods are incorporated by reference—see §60.17.)” If the contents of TK-1 change, the applicability of these NSPS must be re-evaluated.

40 CFR Part 60, Subpart Y – *Standards of Performance for Coal Preparation and Processing Plants* is not applicable to the installation and has not been applied in this permit. This provisions of this regulation apply to affected facilities in coal preparation and processing plants per §60.250(a). *Coal preparation and processing plant* means any facility (excluding underground mining operations) which prepares coal by one or more of the following processes: breaking, crushing, screening, wet or dry cleaning, and thermal drying per §60.251(e). The installation does not meet the definition of coal preparation and processing plant as the installation does not break, crush, screen, wet or dry clean, or thermal dry any of the coal they receive.

40 CFR Part 60, Subpart BBBB - *Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed On or Before August 30, 1999* is not applicable to the facility at this time. The facility has chosen to take a voluntary limitation to combust less than 11 tons per day of municipal solid waste so as to meet the requirements of one of the exemptions within the regulation. The exemption requires:

1. *Small municipal waste combustion units* that combust less than 11 tons per day. Units are exempt from the State plan if four requirements are met: [§60.1555(a)]
  - a) The municipal waste combustion unit is subject to a federally enforceable permit limiting the amount of municipal solid waste combusted to less than 11 tons per day. [§60.1555(a)(1)]
    - i) The permittee has taken a voluntary condition within this operating permit to combust less than 11 tons per day of municipal solid waste. The voluntary condition becomes federally enforceable upon issuance of this permit.
  - b) Notification is submitted by the owner or operator that the unit qualifies for the exemption. [§60.1555(a)(2)]
  - c) The permittee submits a copy of the federally enforceable permit. [§60.1555(a)(3)]
    - i) A copy of this operating permit is already on record with the Department. The permittee does not need to submit another copy.
  - d) The permittee keeps daily records of the amount of municipal solid waste combusted. [§60.1555(a)(4)]
    - i) These records are required by the voluntary condition taken by the permittee.

40 CFR Part 60, Subpart IIII - *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* is not applicable to the installation. B-4 Emergency Diesel Generator was installed in 2004 and IC-1 Emergency Diesel Fire Pump was installed in 2003, which is prior to the compliance date of July 11, 2005.

40 CFR Part 60, Subpart TTTT – *Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units* is not applicable to the installation. This regulation applies to each steam generating unit, IGCC, or stationary combustion turbine that commences construction after January 8, 2014 or commences modification or reconstruction after June 18, 2014 and a base load rating of greater than 250 MMBtu/hr.

- Boilers 1 and 2 were constructed in 1971 and have not been modified or reconstructed.
- Auxiliary Boiler B-5 has a design rating of only 155 MMBtu/hr.

### **MACT Applicability**

40 CFR Part 63, Subpart T – *National Emission Standards for Halogenated Solvent Cleaning* is not applicable to the installation. The parts washers do not use any solvent containing methylene chloride (CAS No. 75-09-2), perchloroethylene (CAS No. 127-18-4), trichloroethylene (CAS No. 79-01-6), 1,1,1-trichloroethane (CAS No. 71-55-6), carbon tetrachloride (CAS No. 56-23-5) or chloroform (CAS No. 67-66-3), or any combination of these halogenated HAP solvents.

40 CFR Part 63, Subpart ZZZZ - *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines* is applicable to the installation and has been applied in Permit Conditions 014 and 015.

40 CFR Part 63, Subpart DDDDD – *National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters* is applicable to Auxiliary Boiler B-5 and has been applied in Permit Condition 020. B-1 Boiler 1 and B-2 Boiler 2 are exempt from this regulation per §63.7491(a) as they are subject to MACT UUUUU.

40 CFR Part 63, Subpart UUUUU – *National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units* is applicable to the installation and has been applied in Permit Condition 002.

- The installation demonstrated initial compliance with the following results:

Pollutants	Initial Compliance Results
Filterable PM	30 day rolling average: B-1: 0.005 lb/MMBtu B-2: 0.010 lb/MMBtu
HCl	Average of three one-hour test runs: B-1: 0.00097 lb/MMBtu B-2: 0.00052 lb/MMBtu
Hg	30 day rolling average: B-1: 0.760 lb/TBtu B-2: 0.844 lb/TBtu

- Auxiliary Boiler B-5 does not meet the definition of *electric utility steam generating unit (EGU)* at §63.10042.

40 CFR Part 63, Subpart CCCCC – *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities* is not applicable to the installation. The affected source to which this subpart applies is each gasoline dispensing facility that is located at an area source per §63.11111(a). The installation is a major source of HAPs; therefore, this regulation does not apply to R-1 Above Ground Gasoline Tank.

**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 to the installation and has not been applied in this permit. In previous operating permits, CAM has been applied to Boilers 1 and 2 to demonstrate compliance with the PM limit in 10 CSR 10-6.405. The PM limit in MACT UUUUU is more stringent than the PM limit in 10 CSR 10-6.405; therefore, only the PM limit in MACT UUUUU has been applied in this permit. CAM does not apply to MACT UUUUU as §64.2(b)(1)(i) exempts limitations or standards proposed by the Administrator after November 15, 1990 pursuant to §111 or §112 of the Act.

## Greenhouse Gas Emissions

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

## Other Regulatory Determinations

The permittee informed the Air Pollution Control Program on September 29, 2017 that B-3 Auxiliary Boiler has been permanently removed from the installation.

10 CSR 10-6.220 *Restriction of Emission of Visible Air Contaminants* is applicable to the installation and has been applied in this permit (see Permit Condition 009).

- This regulation does not apply to B-4, and IC-2 as internal combustion engines are exempt per 10 CSR 10-6.220(1)(A).
- This regulation does not apply to B-1 and B-2 as emission sources regulated by MACT UUUUU and demonstrating compliance with a PM CEMS are exempt per 10 CSR 10-6.220(1)(N).
- This regulation does not apply to MH-1, MH-2, MH-3, M-1, M-2, M-3, M-5, and M-6 as fugitive emission sources are exempt per 10 CSR 10-6.220(1)(K).
- This regulation does not apply to B-5 as emission sources regulated by 10 CSR 10-6.070 and the provisions of 40 CFR 60 are exempt per 10 CSR 10-6.220(1)(H). Auxiliary Boiler B-5 is regulated by NSPS Db.

The permittee may not burn any material other than coal (and fuel oil #2 for start-up and flame stabilization) in B-1 Boiler 1 and B-2 Boiler 2 other than those listed within Section V Reasonably Anticipated Operating Scenarios without written consent from the Missouri Department of Natural Resources' Air Pollution Control Program. The burning of county records is performed as a nonprofit public service and not for energy recovery practices.

If at any time the permittee should violate the voluntary limitation of combusting less than 11 tons per day of municipal solid waste the permittee shall become subject to all the requirements of NSPS BBBB.

10 CSR 10-6.260 *Restriction of Emission of Sulfur Compounds* is applicable to the installation and has been applied in Permit Conditions 003 and 012. This regulation is not applicable to Auxiliary Boiler B-5 which is subject to NSPS Db and exempt from this regulation per 10 CSR 10-6.260(1)(A)1.

10 CSR 10-6.362 *Clean Air Interstate Rule Annual NO<sub>x</sub> Trading Program*, 10 CSR 10-6.364 *Clean Air Interstate Rule Seasonal NO<sub>x</sub> Trading Program*, and 10 CSR 10-6.366 *Clean Air Interstate Rule SO<sub>2</sub> Trading Program* are applicable to the installation and has been applied in Permit Condition 006. These regulations are not applicable to Auxiliary Boiler B-5 as it does not serve a generator with a nameplate capacity of more than 25 MWe.

10 CSR 10-6.405 *Restriction of PM Emissions From Fuel Burning Equipment Used For Indirect Heating* is applicable to the installation, but has not been applied within this permit.

- This regulation would apply a 0.12 lb/MMBtu filterable PM annual average standard to B-1 and B-2. The 0.12 lb/MMBtu filterable PM annual average limit is less stringent than the 0.03 lb/MMBtu filterable PM 30-day rolling average limit for B-1 and B-2 in MACT UUUUU; therefore, only the more stringent standard has been applied in this permit (see Permit Condition 002).
- As Auxiliary Boiler B-1 is subject to NSPS Db and in compliance with the applicable provisions, it is deemed in compliance with this regulation per 10 CSR 10-6.405(1)(C).

10 CSR 10-5.220 *Control of Petroleum Liquid Storage, Loading and Transfer* is applicable to the installation and has been applied in Permit Condition 017. This regulation is not currently applicable to storage tanks TK-1 through TK-15 as they contain a petroleum liquid with a true vapor pressure less than 27.6 kPa at 90°F.

The United States District Court for the Eastern District of Missouri on January 23, 2017 (*United States v. Ameren Missouri*, 229 F.Supp.3d 906) issued a decision holding Ameren liable for violations of the PSD and Title V provisions of the Clean Air Act for projects that occurred in 2007 and 2010 at Rush Island Units 1 and 2. *Id.* at 916. The court held that these projects both constituted major modifications under the PSD provisions and that Ameren performed them without obtaining a PSD permit and “installing the best available pollution control technology” to reduce emissions. *Id.* at 1017. Furthermore, the court held that in doing so, Ameren also violated Title V requirements by failing to obtain an operating permit with all applicable requirements. *Id.* at 998-99. This case is still in litigation regarding the proper remedy for these violations; therefore, there are currently no applicable requirements from this decision that require inclusion in this operating permit.

This permit and the terms and conditions herein do not affect the installation’s past and/or continuing obligation with respect to statutory or regulatory requirements governing major source construction or modification under Title I of the CAA. Further, neither the issuance of this permit nor any of the terms or conditions of the permit shall alter or affect the liability of the installation for any violation of applicable requirements prior to or at the time of permit issuance.

The installation is required to modify this permit to include any applicable requirements established by the remedy decision for the violations of the PSD and Title V provisions of the Clean Air Act according to the schedule/deadline established by the remedy decision unless said decision is overturned.

#### **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).

## Response to Public Comments

The draft Part 70 Operating Permit, Project 2015-02-041, for Ameren Missouri Rush Island Energy Center (099-0016) was placed on public notice as of March 9, 2018, for a 30-day comment period. The public notice was published on the Department of Natural Resources' Air Pollution Control Program's web page at: <http://www.dnr.mo.gov/env/apcp/PermitPublicNotices.htm> on Friday, March 9, 2018. As the 30<sup>th</sup> day of the public notice period fell on a Sunday, the public was allowed to submit comments through April 9, 2018.

On April 6, 2018, the Air Pollution Control Program received comments from Mark A. Smith, Air Permitting and Compliance Branch Chief, EPA Region 7.

On April 9, 2018, the Air Pollution Control Program received comments from Sunil Bector, Sierra Club Environmental Law Program Staff Attorney.

The comments have been addressed by the Air Pollution Control Program in the order in which they were received.

On April 12, 2018, the Air Pollution Control Program received responses from David M. Loring, attorney with Schiff Hardin, representing Ameren Missouri.

### **EPA Comment #1:**

The EPA notes that the Statement of Basis for this permit does not mention a decision issued by the United States District Court for the Eastern District of Missouri on January 23, 2017 (*United States v. Ameren Missouri*, 229 F.Supp.3d 906) that held Ameren liable for violations of the Prevention of Significant Deterioration (PSD) and Title V provisions of the Clean Air Act for projects that occurred in 2007 and 2010 at Rush Island Units 1 and 2. *Id.* at 916. The court held that these projects both constituted major modifications under the PSD provisions and that Ameren performed them without obtaining a PSD permit and “installing the best available pollution control technology” to reduce emissions. *Id.* at 1017. Furthermore, the court held that in doing so, Ameren also violated Title V requirements by failing to obtain an operating permit with all applicable requirements. *Id.* at 998-99. Although this case is still in litigation regarding the proper remedy for these violations, MoDNR should consider acknowledging the district court decision in the Statement of Basis.

### **Air Pollution Control Program Response to Comment:**

The following language has been added to the Statement of Basis (see page SB-10) acknowledging the district court's decision:

The United States District Court for the Eastern District of Missouri on January 23, 2017 (*United States v. Ameren Missouri*, 229 F.Supp.3d 906) issued a decision holding Ameren liable for violations of the PSD and Title V provisions of the Clean Air Act for projects that occurred in 2007 and 2010 at Rush Island Units 1 and 2. *Id.* at 916. The court held that these projects both constituted major modifications under the PSD provisions and that Ameren performed them without obtaining a PSD permit and “installing the best available pollution control technology” to reduce emissions. *Id.* at

1017. Furthermore, the court held that in doing so, Ameren also violated Title V requirements by failing to obtain an operating permit with all applicable requirements. *Id.* at 998-99. This case is still in litigation regarding the proper remedy for these violations; therefore, there are currently no applicable requirements from this decision that require inclusion in this operating permit.

**EPA Comment #2:**

EPA recommends that MoDNR include in the permit or statement of basis the following language:

This permit and the terms and conditions herein do not affect the Permittee's past and/or continuing obligation with respect to statutory or regulatory requirements governing major source construction or modification under Title I of the CAA. Further, neither the issuance of this permit nor any of the terms or conditions of the permit shall alter or affect the liability of the Permittee for any violation of applicable requirements prior to or at the time of permit issuance.

**Air Pollution Control Program Response to Comment:**

The following language has been added to the Statement of Basis (see page SB-10):

This permit and the terms and conditions herein do not affect the installation's past and/or continuing obligation with respect to statutory or regulatory requirements governing major source construction or modification under Title I of the CAA. Further, neither the issuance of this permit nor any of the terms or conditions of the permit shall alter or affect the liability of the installation for any violation of applicable requirements prior to or at the time of permit issuance.

**EPA Comment #3:**

The EPA has a concern regarding Section IV: *Core Permit Requirements* includes 10 CSR 10-6.250: *Asbestos Abatement Projects-Certification, Accreditation, and Business Exemption Requirements* incorporating the Asbestos Hazard Emergency Response Act (AHERA) and its regulations for school districts and personnel working on asbestos activities in schools. The requirements associated with 10 CSR 10-6.250 have not been adopted into the EPA approved Missouri State Implementation Plan (SIP) and is therefore a "State Only Requirement," and EPA recommends MoDNR consider adding a "State Only Requirement" designation to 10 CSR 10-6.250.

**Air Pollution Control Program Response to Comment:**

A statement that 10 CSR 10-6.250 is a state only requirement has been added to Section IV (see page 68).

**Sierra Club Comment #1:**

On January 23, 2017, a federal judge found Ameren liable for violating the Clean Air Act's Prevention of Significant Deterioration and Title V provisions when Ameren made major modifications to Rush Island Units 1 and 2 without obtaining a permit and without installing best available pollution control technology, among other requirements. Litigation is ongoing to determine how Ameren will remedy these continuing violations.

As produced for public comment, the Draft Permit makes no mention of the ongoing litigation, nor how Ameren's violations of the Clean Air Act may affect the applicable requirements described in the Draft Permit. At a minimum, MDNR should update its Statement of Basis to acknowledge the litigation and its effects on the Draft Permit's applicable requirements. MDNR should clarify that (a) the permit shield does not apply to future applicable requirements stemming from this litigation, and (b) DNR will reopen the permit to incorporate any applicable requirements arising out of the litigation. Although there is no legal ambiguity regarding the above points, providing this explanation in the permit's Statement of Basis would ensure that all parties understand the relationship between this permitting action and the ongoing enforcement action.

**Air Pollution Control Program Response to Comment:**

The following language has been added to the Statement of Basis (see page SB-10) clarifying the requested items identified:

The United States District Court for the Eastern District of Missouri on January 23, 2017 (*United States v. Ameren Missouri*, 229 F.Supp.3d 906) issued a decision holding Ameren liable for violations of the PSD and Title V provisions of the Clean Air Act for projects that occurred in 2007 and 2010 at Rush Island Units 1 and 2. *Id.* at 916. The court held that these projects both constituted major modifications under the PSD provisions and that Ameren performed them without obtaining a PSD permit and "installing the best available pollution control technology" to reduce emissions. *Id.* at 1017. Furthermore, the court held that in doing so, Ameren also violated Title V requirements by failing to obtain an operating permit with all applicable requirements. *Id.* at 998-99. This case is still in litigation regarding the proper remedy for these violations; therefore, there are currently no applicable requirements from this decision that require inclusion in this operating permit.

This permit and the terms and conditions herein do not affect the installation's past and/or continuing obligation with respect to statutory or regulatory requirements governing major source construction or modification under Title I of the CAA. Further, neither the issuance of this permit nor any of the terms or conditions of the permit shall alter or affect the liability of the installation for any violation of applicable requirements prior to or at the time of permit issuance.

The installation is required to submit a Part 70 significant modification application no later than one year after the date on which litigation regarding the proper remedies for the violations of the PSD and Title V provisions of the Clean Air Act is complete to include these applicable requirements in this operating permit.

**Ameren Missouri Responses to Comments:**

We note that EPA has not objected to issuance of the draft Part 70 Permit. Rather, both EPA and the Sierra Club requested that the Statement of Basis "acknowledge" that the district court's January 23, 2017 decision in *United States v. Ameren Missouri*, 229 F.Supp.3d 906 (E.D. Mo.) (finding Ameren liable for certain violations of the Clean Air Act) "may affect" the applicable requirements of Ameren's Part 70 Permit. That litigation is ongoing and no final judgement has

been entered. Put simply, Ameren Missouri has not been “ordered” to do anything. Based on the procedural schedule, a final judgement in this matter will not occur until sometime in 2019. Once a final judgement is entered, Ameren Missouri intends to appeal the liability ruling to the United States Court of Appeals for the Eight Circuit.

Accordingly, there is no legal basis to refer to ongoing litigation in a Part 70 permit that at present has not – and may not in the future – impose a remedy that constitutes an enforceable term or condition upon Ameren Missouri’s Rush Island facility. The inclusion in the Part 70 Permit of any permit provision or statement related to the ongoing litigation in *Ameren Missouri* is, therefore, inappropriate for the reasons as follows.

First, the Clean Air Act (Act) does not require that Part 70 permits contain terms or conditions that address a mere finding of liability in an enforceable action. The Act and EPA’s implementing regulations are unambiguous in this regard. The Act requires that each permit include “*enforceable* emission limitations and standards...and such other conditions as are necessary assure compliance with *applicable requirements*” of the Act. 42 U.S.C. §7661c(a). Applicable requirements are those enforceable standards, conditions and requirements “as they apply to emission units in a part 70 source” that EPA has enumerated by rule under 40 CFR §70.2. *See also* 10 CSR 10-6.020(2)(A)55. The district court’s decision did not create any enforceable standard, condition or requirement.

As you may be aware, the district court bifurcated the case into two distinct phases – a liability phase and a remedy phase. The remedy phase is presently ongoing and it is both unknown and premature to speculate what, if any, relief the district court may impose upon Rush Island at the conclusion of the remedy phase of the trial. The mere fact that some potential future remedy may arise and, *at that time*, create a new applicable requirement or affect an existing applicable requirement is not grounds for inclusion in the Part 70 Permit (including the Statement of Basis). Doing so would exceed the scope of authority under Title V of the Act. *See* 40 CFR §70.1(b) (“title V does not impose substantive new requirements”).

Second, EPA and Sierra Club request that MDNR include a permit condition limiting the effect of the Act’s Title V permit shield on Ameren’s past liability. That language is unnecessary and should not be incorporated into the Part 70 Permit. By statute, MDNR can only shield Ameren from compliance with other non-Title V provision if MDNR either included the applicable requirements in the permit or it makes a determination in the permit that such other provisions are not applicable. 40 U.S.C. §7661c(f). The enforcement action has not resulted in any applicable requirements as discussed above. And MDNR has made no such determination as to the applicability of Title I based on Ameren’s past liability under the Act. Moreover, Missouri regulations prohibit a permit shield from affecting Ameren’s liability “for any violation of an applicable requirement which occurred prior to, or was existing at, the time of permit issuance.” 10 CSR 10-6.065(6)(C)6.B(II). Issuance of the Part 70 Permit has no bearing on any future liability or potential applicable requirements that may come to exist after resolution of the *Ameren Missouri* enforcement action.

Notwithstanding our above comments, if MDNR believes it is necessary to include a statement in the Part 70 Permit’s Statement of Basis about ongoing litigation, we suggest the following revisions to the proposed language on page SB-10 of the draft Title V Permit:

~~Ameren is presently subject to a Clean Air Act enforcement action brought by the United States in the United States District Court for the Eastern District of Missouri involving historic projects performed at Rush Island Units 1 and 2, on January 23, 2017 (*United States v. Ameren Missouri*, 229 F.Supp.3d.906) issued on a decision holding Ameren liable for violations of the PSD and Title V provisions of the Clean Air Act for projects that occurred in 2007 and 2010 at Rush Island Units 1 and 2. *Id.* at 916. The court held that these projects both constituted major modifications under the PSD provisions and that Ameren performed them without obtaining a PSD permit and “installing the best available pollution control technology” to reduce emissions. *Id.* at 1017. Furthermore, the court held that in doing so, Ameren also violated Title V requirements by failing to obtain an operating permit with all applicable requirements. *Id.* at 998-99. This case is still in litigation regarding the proper remedy for these violations; therefore, there are currently no applicable requirements from this decision’s case that require inclusion in this operating permit.~~

Lastly, we do not believe that it is either necessary or appropriate to include a statement requiring modification of the Part 70 Permit “no later than one year after the date on which litigation regarding the proper remedies...is complete.” See draft Part 70 Permit at SB-10. First, litigation is not “complete” following the district court’s ruling even after the remedy phase of *Ameren Missouri*. As noted above, Ameren (and/or the government) may seek to appeal the court’s decisions. Second, only applicable requirements that “will become effective during the permit term” require a statement that the source will comply with those requirements on a timely basis. 10 CSR 10-6.065(6)(B)3.I(II)(b). No such certainty exists here. Moreover, the reopening of a Part 70 permit to incorporate new applicable requirements is governed by rule. Among other limitations, the regulations limits the reopening of a Part 70 permit to incorporate new, additional applicable requirements where the permit has a term of 3 or more years remaining. 10 CSR 10-6.065(6)(E)6.A(III)(a). The rule also allows for up to 18 months to incorporate the new applicable requirement. 10 CSR 10-6.065(6)(E)6.F. The proposed 1-year incorporation period in the draft Part 70 Permit conflicts with these regulatory requirements and should be removed.

**Air Pollution Control Program Response to Comments:**

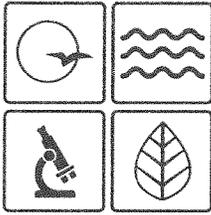
It should be noted that EPA retains the right to object to the Part 70 permit under §70.8(c). The public notice period occurs prior to EPA’s 45-day review period per 10 CSR 10-6.065(6)(E)1.D.

10 CSR 10-6.060 (which incorporates PSD at (8)(A)) and 10 CSR 10-6.065 (which contains Missouri’s operating permit program pursuant to Title V of the Act) are applicable requirements within the draft Part 70 permit. The January 23, 2017 decision holds Ameren liable for violations of PSD and Title V provisions. Ameren Missouri Rush Island Energy Center was required by §70.5(c)(8) to submit a compliance plan describing how the source will achieve compliance with these requirements. It is assumed that Ameren Missouri Rush Island Energy Center’s compliance plan is to fulfill any future remedy obligations imposed upon the source by the courts.

There appears to be no legal justification for not re-iterating in the Statement of Basis that the permit shield does not protect the installation from past and/or ongoing violations.

Until the remedy decision is issued it is impossible to state whether the requirements within the remedy decision will or will not become effective during the permit term; therefore, the Air Pollution Control Program has revised SB-10 to state:

The installation is required to modify this permit to include any applicable requirements established by the remedy decision for the violations of the PSD and Title V provisions of the Clean Air Act according to the schedule/deadline established by the remedy decision unless said decision is overturned.



Missouri Department of

dnr.mo.gov

# NATURAL RESOURCES

Eric R. Greitens, Governor

Carol S. Comer, Director

**MAY 21 2018**

Mr. Ajay K. Arora  
Ameren Missouri Rush Island Energy Center  
100 Big Hollow Road  
Festus, MO 63028

Re: Ameren Missouri Rush Island Energy Center, 099-0016  
Permit Number: OP2018-041

Dear Mr. Arora:

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

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

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

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

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:ahj

Enclosures

c: PAMS File: 2015-02-041



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