



**Missouri Department of Natural Resources**  
Air Pollution Control Program

# PART 70

## PERMIT TO OPERATE

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

**Operating Permit Number:** OP2018-023  
**Expiration Date:** MAY 21 2023  
**Installation ID:** 117-0002  
**Project Number:** 2013-04-094

**Installation Name and Address**

Chillicothe Municipal Utilities - Beardmore  
Energy Center  
1611 Waterworks Road  
Chillicothe, MO 64601  
Livingston County

**Parent Company's Name and Address**

Chillicothe Municipal Utilities  
P.O. Box 140  
Chillicothe, MO 64601

**Installation Description:**

Chillicothe Municipal Utilities operates an electric power production facility using four 297 MMBtu/hr combustion turbines that burn either natural gas or fuel oil, and five 2 MW diesel fired internal combustion engines. There is also a 420,000 gallon diesel fuel storage tank. Chillicothe Municipal Utilities is considered a major source for Nitrogen Oxides (NO<sub>x</sub>) and Sulfur Oxides (SO<sub>x</sub>).

Prepared by  
David Buttig  
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.

<u>EIQ Reference ##</u>	<u>Description of Emission Unit</u>
EP-01	Combustion Turbine 1A (GT1A)
EP-02	Combustion Turbine 1B (GT1B)
EP-03	Combustion Turbine 2A (GT2A)
EP-04	Combustion Turbine 2B (GT2B)
EP-23 – EP-27	Five (5) Diesel Engine Generators

### EMISSION UNITS WITHOUT LIMITATIONS

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

<u>Description of Emission Source</u>
420,000 Gallon, #2 Distillate Oil Storage Tank
Space Heater – 0.34 MMBtu/hr
6,000 Gallon Diesel Storage Tank
300 Gallon Diesel Storage Tank

## II. Plant Wide Emission Limitations

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

### PERMIT CONDITION PW001

10 CSR 10-6.065 Construction Permits Required  
Amendment to Construction Permit 082002-010, Issued July 22,2003

#### **Emission Limitations:**

- 1) Chillicothe Municipal Utilities shall discharge into the atmosphere less than 250 tons of NO<sub>x</sub> from the entire installation in any consecutive twelve-month period. [Special Condition 2A]
- 2) Chillicothe Municipal Utilities shall discharge into the atmosphere less than 250 tons of SO<sub>x</sub> from the entire installation in any consecutive twelve-month period. [Special Condition 2B]

#### **Monitoring/Record Keeping:**

Chillicothe Municipal Utilities shall maintain the monthly and the sum of the most recent consecutive twelve-month records of NO<sub>x</sub> and SO<sub>x</sub> emissions from the entire installation. Attachments A and B or equivalent forms approved by the Air Pollution Control Program shall be used for record keeping. Chillicothe Municipal Utilities 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. [Special Condition 2C]

#### **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 (10) days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.
- 2) The permittee shall report any deviations of this permit condition to the Air Pollution Control Program, Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, or [AirComplianceReporting@dnr.mo.gov](mailto:AirComplianceReporting@dnr.mo.gov), no later than the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

### III. Emission Unit Specific Emission Limitations

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

<b>PERMIT CONDITION 1</b>			
<i>10 CSR 10-6.261, Control of Sulfur Dioxide Emissions</i>			
EIQ Reference #	Description	Manufacturer/Model #	Serial Number
EP-01 EP-02 EP-03 EP-04	Four (4) Combustion Turbines (Turbines 1A, 1B, 2A, and 2B); 297 MMBtu/hr each; Primary Fuel – Distillate Fuel #2; Secondary Fuel – Natural Gas; Constructed 1986	Pratt and Whitney/FT4A-9DF	P675433 P675427 P675434 P675436

**Fuel Requirements:**

The permittee shall limit the distillate fuel oil sulfur content to 8,812 ppm. [10 CSR 10-6.261(3)(C)]

**Compliance Demonstration/Recordkeeping:**

- 1) The permittee shall demonstrate compliance with these limitations by one of the following methods:
  - a) Fuel Delivery Records:
    - i) The permittee shall maintain fuel delivery records indicating the sulfur content of the fuel meets the requirements of this permit condition. These records shall include:
      - (1) The name, address, and contact information of the fuel supplier;
      - (2) The type of fuel;
      - (3) The sulfur content or maximum sulfur content expressed in ppm sulfur; and
      - (4) The heating value of the fuel if provided.
    - ii) The permittee shall maintain records of any equipment malfunctions, using Attachment B or an equivalent form generated by the permittee.
    - iii) All required reports and records must be retained on-site for a minimum of five (5) years and made available within five (5) business days upon written or electronic request by the director. [10 CSR 10-6.261(4)(F)]
    - iv) The permittee must furnish the director all data necessary to determine compliance status. [10 CSR 10-6.261(4)(G)]
  - b) Fuel Sampling and Analysis:
    - i) The permittee shall use fuel sampling and analysis to determine sulfur weight percent, or equivalent, of fuel(s) used to operate fuel emission sources in accordance with 10 CSR 10-6.040.
- 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 SO<sub>2</sub> emissions performance test, SO<sub>2</sub> continuous emission monitoring, fuel deliveries, and/or fuel sampling tests. [10 CSR 10-6.261(4)(A)3.]

- 4) The permittee shall maintain a record of any applicable 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.]
- 5) All required reports and records must be retained on-site for a minimum of five (5) years and made available within five (5) business days upon written or electronic request by the director. [10 CSR 10-6.261(4)(F)]

**Reporting:**

- 1) 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 staff director for each calendar quarter within thirty (30) days following the end of the quarter. The notification must be a written report and must include, at a minimum, the following: [10 CSR 10-6.261(4)(A)1.]
  - a) Name and location of source; [10 CSR 10-6.261(4)(A)1.A.]
  - b) Name and telephone number of person responsible for the source; [10 CSR 10-6.261(4)(A)1.B.]
  - c) Identity and description of the equipment involved; [10 CSR 10-6.261(4)(A)1.C.]
  - d) Time and duration of the period of SO<sub>2</sub> excess emissions; [10 CSR 10-6.261(4)(A)1.D.]
  - e) Type of activity; [10 CSR 10-6.261(4)(A)1.E.]
  - 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; [10 CSR 10-6.261(4)(A)1.F.]
  - g) 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.]
  - 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; [10 CSR 10-6.261(4)(A)1.H.]
- 2) The permittee shall report any deviations of this permit condition to the Air Pollution Control Program, Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III).
- 3) The permittee shall report to the Air Pollution Control Program, Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.

<b>PERMIT CONDITION 2</b>			
<i>10 CSR 10-6.350, Emission Limitations and Emissions Trading of Oxides of Nitrogen</i>			
EIQ Reference #	Description	Manufacturer/Model #	Serial Number
EP-01 EP-02 EP-03 EP-04	Four (4) Combustion Turbines (Turbines 1A, 1B, 2A, and 2B); 297 MMBtu/hr each; Primary Fuel – Distillate Fuel #2; Secondary Fuel – Natural Gas; Constructed 1986	Pratt and Whitney/FT4A-9DF	P675433 P675427 P675434 P675436

**Emission Limitations:**

- 1) In order to qualify for the exemption under 10 CSR 10-6.350(1)(B)2., the permittee shall operate each emission unit (EP-01, EP-02, EP-03, and EP-04) less than 400 hours per control period<sup>1</sup> averaged over the three most recent years of operation.
- 2) Compliance with this rule shall not relieve the permittee of the responsibility to comply fully with applicable provisions of the Air Conservation Law and rules or any other requirements under local, state, or federal law. Specifically, compliance with this rule shall not violate the permit conditions previously established under 10 CSR 10-6.060 or 10 CSR 10-6.065.

**Monitoring:**

The permittee shall install and operate a non-resettable hour meter or determine the hours of operation for emission units EP-01, EP-02, EP-03, and EP-04 during the control period.

**Recordkeeping:**

The permittee shall maintain records of the total operating hours during which fuel is consumed for each emission unit during the control period. Attachment C or an equivalent generated by the permittee shall be used for record keeping.

**Reporting:**

- 1) If the exemption limit above is exceeded, the exemption shall not apply and the permittee must notify the Air Pollution Control Program’s enforcement Section, P.O. Box 176, Jefferson City, MO 65102, within thirty days.
  - a) If the permittee can demonstrate to the staff director or designee that the exemption limit was exceeded due to emergency operations or uncontrollable circumstances, the exemption shall apply.
- 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 ten (10) days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.

<sup>1</sup> The period beginning May 1 of a calendar year and ending on September 30 of the same calendar year.

<b>PERMIT CONDITION 3</b>			
<i>40 CFR Part 63 Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines</i>			
EIQ Reference #	Description	Manufacturer/Model #	Serial Number
EP-23 EP-24 EP-25 EP-26 EP-27	Five (5) Existing Non-Emergency Diesel Engines; 19.34 MMBtu/hr each (2847 HP each); Primary Fuel – Distillate #2; Constructed 2003	Caterpillar/3516B	6HN01689 6HN01719 6HN01681 6HN01702 6HN01691

**Emission Limitations:**

- 1) The permittee must : [§63.6603(a)]
  - a) Limit the concentration of Carbon Monoxide (CO) in the stationary RICE exhaust to 23 ppmvd at fifteen percent (15%) Oxygen (O<sub>2</sub>); or
  - b) Reduce the CO emissions by seventy percent (70%) or more.

**Operational Limitations:**

- 1) The permittee must maintain the catalyst so that the pressure drop across the catalyst does not change by more than two (2) inches of water from the pressure drop across the catalyst that was measured during the initial performance test. [§63.6603(a)]
- 2) The permittee must maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F<sup>2</sup> [§63.6603(a)]
- 3) The permittee must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel. [§63.6604(a)]
  - a) Sulfur Content: 15 ppm maximum;
  - b) Minimum cetane index of 40; and
  - c) Maximum aromatic content of 35 volume percent.
- 4) At all times the permittee must 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. 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 administrator 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)]

**Subsequent Performance Testing:**

- 1) The permittee must conduct each performance test in Table 3 and 4 of MACT ZZZZ every 8,760 hours or three (3) years, whichever comes first.
- 2) Each performance test must be conducted according to the requirements in Table 4 of MACT ZZZZ. If the permittee owns or operates a non-operational stationary RICE that is subject to performance testing, the permittee does not need to start up the engine solely to conduct the performance test.

<sup>2</sup> Sources can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.

Owners and operators of a non-operational engine can conduct the performance test when the engine is started up again. [§63.6620(b)]

- 3) The permittee must conduct three separate test runs for each performance test required by this section, as specified in §63.7(e)(3). Each test run must last at least one (1) hour, unless otherwise specified in MACT ZZZZ. [§63.6620(d)]
- 4) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided. [§63.6620(i)]

**Continuous Compliance:**

- 1) The permittee must comply with emission and operating limitations by monitoring and collecting data according to §63.6635. [§63.6635(a)]
- 2) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, the permittee must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. [§63.6635(b)]
- 3) The permittee may not use data recorded during malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. The permittee must, however, use all the valid data collected during all other periods. [§63.6635(c)]
- 4) The permittee must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to MACT ZZZZ that apply according to methods specified in Table 6 of MACT ZZZZ. [§63.6640(a)]
- 5) The permittee must report each instance in which emission limitations or operating limitations in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d of MACT ZZZZ that apply were not met. These instances are deviations from the emission and operating limitations in MACT ZZZZ. These deviations must be reported according to the requirements in §63.550. If the catalyst is changed, the permittee must reestablish the values of the operating parameters measured during the initial performance test. When the values of the operating parameters are reestablished, the permittee must also conduct a performance test to demonstrate that the applicable required emission limitations are being met. [§63.6640(b)]
- 6) The permittee must also report each instance in which the requirements in Table 8 to MACT ZZZZ that apply were not met. [§63.6640(e)]

**Monitoring:**

- 1) The permittee must install, operate, and maintain each continuous parameter monitoring system (CPMS) according to the requirements below: [§63.6625(b)]
  - a) The permittee must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in

paragraphs §63.6625(b)(i) through (v) and in §63.8(d). as specified in §63.8(f)(4), the permittee may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in paragraphs §§63.6625(b)(1) through (5) in your site-specific monitoring plan. [§63.6625(b)(1)]

- i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations; [§63.6625(b)(1)(i)]
  - ii) Sampling interface (e.g., intercouple) location such that the monitoring system will provide representative measurements; [§63.6625(b)(1)(ii)]
  - iii) Equipment performance evaluations, system accuracy audits, or other audit procedures; [§63.6625(b)(1)(iii)]
  - iv) Ongoing operation and maintenance procedures in accordance with provisions in §63.8(c)(1)(ii) and (c)(3); and [§63.6625(b)(1)(iv)]
  - v) Ongoing reporting and recordkeeping procedures in accordance with provisions in 63.10(c), (e)(1), and (e)(2)(i). [§63.6625(b)(1)(v)]
- b) The permittee must install, operate, and maintain each CPMS in continuous operation according to the procedures in the site-specific monitoring plan. [§63.6625(b)(2)]
- c) The CPMS must collect data at least once every 15 minutes. [§63.6625(b)(3)]
- d) For a CPMS for measuring temperature range, the temperature sensor must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger. [§63.6625(b)(4)]
- e) The permittee must conduct the CPMS equipment performance evaluation, system accuracy audits, or other audit procedures specified in the site specific monitoring plan at least annually. [§63.6625(b)(5)]
- f) The permittee must conduct a performance evaluation of each CPMS in accordance with the site-specific monitoring plan. [§63.6625(b)(6)]
- 2) If the listed RICE is not equipped with a closed case crankcase ventilation system, the permittee must comply with either paragraph §63.6625(g)(1) or (2). The permittee must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation system and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. [§63.6625(g)]
- a) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere; or [§63.6625(g)(1)]
  - b) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals. [§63.6625(g)(2)]
- 3) The permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d of MACT ZZZZ apply. [§63.6625(h)]

**Recordkeeping:**

- 1) The permittee must keep the following records: [§63.6655(a)]
  - a) A copy of each notification and report that was submitted to comply with MACT ZZZZ, including all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted, according to the requirements of §63.10(b)(2)(xiv). [§63.6655(a)(1)]

- b) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment. [§63.6655(a)(2)]
  - c) Records of performance tests and performance evaluations as required in §63.10(b)(2)(viii). [§63.6655(a)(3)]
  - d) Records of all required maintenance performed on the air pollution control and monitoring equipment. [§63.6655(a)(4)]
  - e) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.6605(b), 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) For each CPMS, the permittee must keep the following records: [§63.6655(b)]
    - a) Records described in §63.10(b)(2)(vi) through (xi). [§63.6655(b)(1)]
    - b) Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in §63.8(d)(3). [§63.6655(b)(2)]
    - c) Requests for alternatives to the relative accuracy test for CPMS as required in §63.8(f)(6)(i), if applicable. [§63.6655(b)(3)]
  - 3) The permittee must keep the records required in Table 6 of MACT ZZZZ to show continuous compliance with each emission or operating limitation that applies. [§63.6655(d)]
  - 4) The permittee must keep 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)]
  - 5) All records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
  - 6) The permittee must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). [§63.6660(c)]

**Reporting:**

- 1) The permittee must submit all of the notifications in §§63.7(b) and (c), 63.8(e), f(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply by the dates specified. [§63.6645(a)(2)]
- 2) The permittee must submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in 63.7(b)(1). [§63.6645(g)]
- 3) The permittee must submit a Notification of Compliance Status according to §63.9(h)(2)(ii) for each initial compliance demonstration required in Table 5 of MACT ZZZZ that included a performance test conducted according to the requirements in Table 3 of MACT ZZZZ. The notification must include the performance test results, before the close of business on the 60<sup>th</sup> day following the completion of the performance test according to §63.10(d)(2). [§63.6645(h)(2)]
- 4) The permittee must submit a: [§63.6650(a)]
  - a) Semiannual compliance report according to the requirements in §63.6650(b)(1)-(5) if there are no deviations from any emission limitations or operating limitations that apply. The report must contain a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period must be included; or
  - b) Semiannual compliance report according to the requirements in §63.6650(b) if there was a deviation from any emission limitation or operating limitation during the reporting period. The

- report must contain the information in §63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), the information in §63.6650(e) must be included; or
- c) Semiannual compliance report according to the requirements in §63.6650(b) if there was a malfunction during the reporting period. The report must contain the information in §63.6650(c)(4).
- 5) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), the permittee must submit each semiannual compliance report according to the following requirements: [§63.6650(b)]
- a) For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in §63.6595. [§63.6650(b)(1)]
  - b) For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for your affected source in §63.6595. [§63.6650(b)(2)]
  - c) For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. [§63.6650(b)(3)]
  - d) For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. [§63.6650(b)(4)]
  - e) For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6 (a)(3)(iii)(A), the permittee may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (b)(4) of this section. [§63.6650(b)(5)]
- 6) The Compliance Report must contain the following information:
- a) Company name and address; [§63.6650(c)(1)]
  - b) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report. [§63.6650(c)(2)]
  - c) Date of report and beginning and ending dates of the reporting period. [§63.6650(c)(3)]
  - d) If you had a malfunction during the reporting period, the compliance report must 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. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with §63.6605(b), including actions taken to correct a malfunction. [§63.6650(c)(4)]
  - e) If there are no deviations from any emission or operating limitations that apply to you, a statement that there were no deviations from the emission or operating limitations during the reporting period. [§63.6650(c)(5)]
  - f) If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in §63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period. [§63.6650(c)(6)]
- 7) For each deviation from an emission or operating limitation that occurs for a stationary RICE where the permittee is not using a CMS to comply with the emission or operating limitations in this

- subpart, the Compliance report must contain the information in paragraphs (c)(1) through (4) of this section and the information in paragraphs (d)(1) and (2) of this section. [§63.6650(d)]
- a) The total operating time of the stationary RICE at which the deviation occurred during the reporting period. [§63.6650(d)(1)]
  - b) Information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken. [§63.6650(d)(2)]
- 8) For each deviation from an emission or operating limitation occurring for a stationary RICE where you are using a CMS to comply with the emission and operating limitations in this subpart, you must include information in paragraphs (c)(1) through (4) and (e)(1) through (12) of this section. [§63.6650(e)]
- a) The date and time that each malfunction started and stopped. [§63.6650(e)(1)]
  - b) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks. [§63.6650(e)(2)]
  - c) The date, time, and duration that each CMS was out-of-control, including the information in §63.8(c)(8). [§63.6650(e)(3)]
  - d) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period. [§63.6650(e)(4)]
  - e) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during that reporting period. [§63.6650(e)(5)]
  - f) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes. [§63.6650(e)(6)]
  - g) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period. [§63.6650(e)(7)]
  - h) An identification of each parameter and pollutant (CO or formaldehyde) that was monitored at the stationary RICE. [§63.6650(e)(8)]
  - i) A brief description of the stationary RICE. [§63.6650(e)(9)]
  - j) A brief description of the CMS. [§63.6650(e)(10)]
  - k) The date of the latest CMS certification or audit. [§63.6650(e)(11)]
  - l) A description of any changes in CMS, processes, or controls since the last reporting period. [§63.6650(e)(12)]
- 9) Each affected source that has obtained a title V operating permit pursuant to 40 CFR part 70 or 71 must report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6 (a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a Compliance report pursuant to Table 7 of this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the Compliance report includes all required information concerning deviations from any emission or operating limitation in this subpart, submission of the Compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a Compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. [§63.6650(f)]
- 10) The permittee shall report any deviations of this permit condition to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

<b>PERMIT CONDITION 4</b>			
10 CSR 10-6.362 <i>Clean Air Interstate Rule Annual NOx Trading Program</i>			
10 CSR 10-6.364 <i>Clean Air Interstate Rule Seasonal NOx Trading Program</i>			
10 CSR 10-6.366 <i>Clean Air Interstate Rule SOx Trading Program</i>			
EIQ Reference #	Description	Manufacturer/Model #	Serial Number
EP-01	Four (4) Combustion Turbines (Turbines 1A, 1B, 2A, and 2B); 297 MMBtu/hr each; Primary Fuel – Distillate Fuel #2; Secondary Fuel – Natural Gas; Constructed 1986	Pratt and Whitney/FT4A-9DF	P675433
EP-02			P675427
EP-03			P675434
EP-04			P675436

**Emission Limitation:**

The permittee shall obtain a CAIR Source Permit for combustion turbine generators EP-01 through EP-04.

A CAIR Permit (Missouri Department of Natural Resources project 2013-04-094, ORIS Code 2122) is being issued to the permittee in conjunction with this Title V permit. (See Attachment D)

**Monitoring/Recordkeeping:**

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

**Reporting:**

The permittee shall report any deviations of this permit condition to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

<b>PERMIT CONDITION 5</b>			
40 CFR Part 70 and 97 Cross-State Air Pollution Rule			
10 CSR 10-6.372 Cross-State Air Pollution Rule Annual NO <sub>x</sub> Trading Allowance Allocations			
10 CSR 10-6.374 Cross-State Air Pollution Rule Ozone Season NO <sub>x</sub> Trading Allowance Allocations			
10 CSR 10-6.376 Cross-State Air Pollution Rule Annual SO <sub>x</sub> Trading Allowance Allocations			
EIQ Reference #	Description	Manufacturer/Model #	Serial Number
EP-01 EP-02 EP-03 EP-04	Four (4) Combustion Turbines (Turbines 1A, 1B, 2A, and 2B); 297 MMBtu/hr each; Primary Fuel – Distillate Fuel #2; Secondary Fuel – Natural Gas; Constructed 1986	Pratt and Whitney/FT4A-9DF	P675433 P675427 P675434 P675436

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

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

- 1) The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435 (CSAPR NO<sub>x</sub> Annual Trading Program), 97.830 through 97.835 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program), and 97.630 through 97.635 (CSAPR SO<sub>2</sub> Group 1 Trading Program). The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable CSAPR trading programs.
- 2) The permittee shall submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA’s website at <http://www.epa.gov/airmarkets/emissions/monitoringplans.html>.
- 3) If the permittee wants to use an alternative monitoring system, the permittee shall submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with

40 CFR Part 75, Subpart E and 40 CFR 75.66 and 97.435 (CSAPR NO<sub>x</sub> Annual Trading Program), 97.835 (CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program), and/or 97.635 (CSAPR SO<sub>2</sub> Group 1 Trading Program). The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at <http://www.epa.gov/airmarkets/emissions/petitions.html>.

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

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

- 1) *Designated representative requirements.* The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.413 through 97.418. [§97.406(a)]
- 2) *Emissions monitoring, reporting, and recordkeeping requirements.* [§97.406(b)]
  - a) The permittee, and the designated representative, of each CSAPR NO<sub>x</sub> Annual source and each CSAPR NO<sub>x</sub> Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.431 (initial monitoring system certification and recertification procedures), §97.432 (monitoring system out-of-control periods), §97.433 (notifications concerning monitoring), §97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements). [§97.406(b)(1)]
  - b) The emissions data determined in accordance with §§97.430 through 97.435 shall be used to calculate allocations of CSAPR NO<sub>x</sub> Annual allowances under §97.411(a)(2) and (b) and §97.412 and to determine compliance with the CSAPR NO<sub>x</sub> Annual emissions limitation and assurance provisions under §97.406(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.406(b)(2)]
- 3) *NO<sub>x</sub> emissions requirements.* [§97.406(c)]
  - a) *CSAPR NO<sub>x</sub> Annual emissions limitation.* [§97.406(c)(1)]
    - i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR NO<sub>x</sub> Annual allowances available for deduction for such control period under §97.424(a) in an amount not less than the tons of

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

NO<sub>x</sub> Annual sources in Missouri during a control period exceeds the common designated representative's assurance level. [§97.406(c)(2)(iv)]

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

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

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

- 1) *Designated representative requirements.* The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.813 through 97.818. [§97.806(a)]

- 2) *Emissions monitoring, reporting, and recordkeeping requirements.* [§97.806(b)]
- a) The permittee, and the designated representative, of each CSAPR NO<sub>x</sub> Ozone Season Group 2 source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of §97.830 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), §97.831 (initial monitoring system certification and recertification procedures), §97.832 (monitoring system out-of-control periods), §97.833 (notifications concerning monitoring), §97.834 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and §97.835 (petitions for alternatives to monitoring, recordkeeping, and reporting requirements). [§97.806(b)(1)]
  - b) The emissions data determined in accordance with §§97.830 through 97.835 shall be used to calculate allocations of CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances under §§97.811(a)(2) and (b) and §97.812 and to determine compliance with the CSAPR NO<sub>x</sub> Ozone Season Group 2 emissions limitation and assurance provisions under §97.806(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.830 through 97.835 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.806(b)(2)]
- 3) *NO<sub>x</sub> emissions requirements—* [§97.806(c)]
- a) *CSAPR NO<sub>x</sub> Ozone Season Group 2 emissions limitation.* [§97.806(c)(1)]
    - i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances available for deduction for such control period under §97.824(a) in an amount not less than the tons of total NO<sub>x</sub> emissions for such control period from all CSAPR NO<sub>x</sub> Ozone Season Group 2 units at the source. [§97.806(c)(1)(i)]
    - ii) If total NO<sub>x</sub> emissions during a control period in a given year from the CSAPR NO<sub>x</sub> Ozone Season Group 2 units at a CSAPR NO<sub>x</sub> Ozone Season Group 2 source are in excess of the CSAPR NO<sub>x</sub> Ozone Season Group 2 emissions limitation set forth in §97.806(c)(1)(i), then: [§97.806(c)(1)(ii)]
      - (1) The permittee shall hold the CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances required for deduction under §97.824(d); and [§97.806(c)(1)(ii)(A)]
      - (2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act. [§97.806(c)(1)(ii)(B)]
  - b) *CSAPR NO<sub>x</sub> Ozone Season Group 2 assurance provisions.* [§97.806(c)(2)]
    - i) If total NO<sub>x</sub> emissions during a control period in a given year from all base CSAPR NO<sub>x</sub> Ozone Season Group 2 units at base CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO<sub>x</sub> emissions during such control period exceeds the common designated representative's assurance level for Missouri and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances available for deduction for such control period under §97.825(a) in an amount

- equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.825(b), of multiplying— [§97.806(c)(2)(i)]
- (1) The quotient of the amount by which the common designated representative's share of such NO<sub>x</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative's share of such NO<sub>x</sub> emissions exceeds the respective common designated representative's assurance level; and [§97.806(c)(2)(i)(A)]
  - (2) The amount by which total NO<sub>x</sub> emissions from all base CSAPR NO<sub>x</sub> Ozone Season Group 2 units at base CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in Missouri for such control period exceed the state assurance level. [§97.806(c)(2)(i)(B)]
- ii) The permittee shall hold the CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances required under §97.806(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.806(c)(2)(ii)]
  - iii) Total NO<sub>x</sub> emissions from all base CSAPR NO<sub>x</sub> Ozone Season Group 2 units at base CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in Missouri during a control period in a given year exceed the state assurance level if such total NO<sub>x</sub> emissions exceed the sum, for such control period, of the Missouri NO<sub>x</sub> Ozone Season Group 2 trading budget under §97.810(a) and the state's variability limit under §97.810(b). [§97.806(c)(2)(iii)]
  - iv) It shall not be a violation of 40 CFR Part 97, Subpart EEEEE or of the Clean Air Act if total NO<sub>x</sub> emissions from all base CSAPR NO<sub>x</sub> Ozone Season Group 2 units at base CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in Missouri during a control period exceed the state assurance level or if a common designated representative's share of total NO<sub>x</sub> emissions from the base CSAPR NO<sub>x</sub> Ozone Season Group 2 units at base CSAPR NO<sub>x</sub> Ozone Season Group 2 sources in Missouri during a control period exceeds the common designated representative's assurance level. [§97.806(c)(2)(iv)]
  - v) To the extent the permittee fails to hold CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances for a control period in a given year in accordance with §97.806(c)(2)(i) through (iii), [§97.806(c)(2)(v)]
    - (1) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and [§97.806(c)(2)(v)(A)]
    - (2) Each CSAPR NO<sub>x</sub> Ozone Season Group 2 allowance that the permittee fails to hold for such control period in accordance with §97.806(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act. [§97.806(c)(2)(v)(B)]
- c) *Compliance periods.* [§97.806(c)(3)]
- i) A CSAPR NO<sub>x</sub> Ozone Season Group 2 unit shall be subject to the requirements under §97.806(c)(1) for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.830(b) and for each control period thereafter. [§97.806(c)(3)(i)]
  - ii) A base CSAPR NO<sub>x</sub> Ozone Season Group 2 unit shall be subject to the requirements under §97.806(c)(2) for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.830(b) and for each control period thereafter. [§97.806(c)(3)(ii)]
- d) *Vintage of CSAPR NO<sub>x</sub> Ozone Season Group 2 allowances held for compliance.* [§97.806(c)(4)]

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

- submission of a new certificate of representation under §97.816 changing the designated representative. [§97.806(e)(1)(i)]
- ii) All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart EEEEE. [§97.806(e)(1)(ii)]
  - iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program. [§97.806(e)(1)(iii)]
- b) The designated representative of a CSAPR NO<sub>x</sub> Ozone Season Group 2 source and each CSAPR NO<sub>x</sub> Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program, except as provided in §97.818. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [§97.806(e)(2)]
- 6) *Liability.* [§97.806(f)]
- a) Any provision of the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program that applies to a CSAPR NO<sub>x</sub> Ozone Season Group 2 source or the designated representative of a CSAPR NO<sub>x</sub> Ozone Season Group 2 source shall also apply to the permittee. [§97.806(f)(1)]
  - b) Any provision of the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program that applies to a CSAPR NO<sub>x</sub> Ozone Season Group 2 unit or the designated representative of a CSAPR NO<sub>x</sub> Ozone Season Group 2 unit shall also apply to the permittee. [§97.806(f)(2)]
- 7) *Effect on other authorities.* No provision of the CSAPR NO<sub>x</sub> Ozone Season Group 2 Trading Program or exemption under §97.805 shall be construed as exempting or excluding the permittee, and the designated representative, of a CSAPR NO<sub>x</sub> Ozone Season Group 2 source or CSAPR NO<sub>x</sub> Ozone Season Group 2 unit from compliance with any other provision of Missouri's approved State implementation plan, a federally enforceable permit, or the Clean Air Act. [§97.806(g)]

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

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

determined in accordance with §§97.630 through 97.635 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.606(b)(2)]

- 3) SO<sub>2</sub> emissions requirements. [§97.606(c)]
- a) *CSAPR SO<sub>2</sub> Group 1 emissions limitation.* [§97.606(c)(1)]
- i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under §97.624(a) in an amount not less than the tons of total SO<sub>2</sub> emissions for such control period from all CSAPR SO<sub>2</sub> Group 1 units at the source. [§97.606(c)(1)(i)]
- ii) If total SO<sub>2</sub> emissions during a control period in a given year from the CSAPR SO<sub>2</sub> Group 1 units at a CSAPR SO<sub>2</sub> Group 1 source are in excess of the CSAPR SO<sub>2</sub> Group 1 emissions limitation set forth in §97.606(c)(1)(i), then: [§97.606(c)(1)(ii)]
- (1) The permittee shall hold the CSAPR SO<sub>2</sub> Group 1 allowances required for deduction under §97.624(d); and [§97.606(c)(1)(ii)(A)]
- (2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 40 CFR Part 97, Subpart CCCCC and the Clean Air Act. [§97.606(c)(1)(ii)(B)]
- b) *CSAPR SO<sub>2</sub> Group 1 assurance provisions.* [§97.606(c)(2)]
- i) If total SO<sub>2</sub> emissions during a control period in a given year from all CSAPR SO<sub>2</sub> Group 1 units at CSAPR SO<sub>2</sub> Group 1 sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO<sub>2</sub> emissions during such control period exceeds the common designated representative's assurance level for Missouri and such control period, shall hold (in the assurance account established for the permittee of such group) CSAPR SO<sub>2</sub> Group 1 allowances available for deduction for such control period under §97.625(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.625(b), of multiplying— [§97.606(c)(2)(i)]
- (1) The quotient of the amount by which the common designated representative's share of such SO<sub>2</sub> emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative's share of such SO<sub>2</sub> emissions exceeds the respective common designated representative's assurance level; and [§97.606(c)(2)(i)(A)]
- (2) The amount by which total SO<sub>2</sub> emissions from all CSAPR SO<sub>2</sub> Group 1 units at CSAPR SO<sub>2</sub> Group 1 sources in Missouri for such control period exceed the state assurance level. [§97.606(c)(2)(i)(B)]
- ii) The permittee shall hold the CSAPR SO<sub>2</sub> Group 1 allowances required under §97.606(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.606(c)(2)(ii)]
- iii) Total SO<sub>2</sub> emissions from all CSAPR SO<sub>2</sub> Group 1 units at CSAPR SO<sub>2</sub> Group 1 sources in Missouri during a control period in a given year exceed the state assurance level if such total SO<sub>2</sub> emissions exceed the sum, for such control period, of the Missouri SO<sub>2</sub> Group 1 trading

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

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

## IV. Core Permit Requirements

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

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

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

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
  - a) Name and location of installation;
  - b) Name and telephone number of person responsible for the installation;
  - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
  - d) Identity of the equipment causing the excess emissions;
  - e) Time and duration of the period of excess emissions;
  - f) Cause of the excess emissions;
  - g) Air pollutants involved;
  - h) Estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
  - i) Measures taken to mitigate the extent and duration of the excess emissions; and
  - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information to the director in writing at least ten days prior to any maintenance, start-up or shutdown activity which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, notice shall be given as soon as practicable prior to the activity.
- 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.

- 4) Nothing in this rule shall be construed to limit the authority of the director or commission to take appropriate action, under sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
- 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

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

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

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

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. The permittee shall retain the most current operating permit issued to this installation on-site. The permittee shall immediately make such permit available to any Missouri Department of Natural Resources personnel upon request.

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

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

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

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

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

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

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

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

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

**10 CSR 10-6.170**

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

***Emission Limitation:***

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

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

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

**10 CSR 10-6.280 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.

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

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR §82.106.
  - b) The placement of the required warning statement must comply with the requirements of 40 CFR §82.108.
  - c) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR §82.110.
  - d) No person may modify, remove, or interfere with the required warning statement except as described in 40 CFR §82.112.
- 2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B of 40 CFR Part 82:
  - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices described in 40 CFR §82.156.
  - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment described in 40 CFR §82.158.
  - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR §82.161.
  - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with the record keeping requirements of 40 CFR §82.166. ("MVAC-like" appliance as defined at 40 CFR §82.152).
  - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR §82.156.
  - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR §82.166.

- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, Subpart A, Production and Consumption Controls.
- 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements contained in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.
- 5) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, Subpart G, Significant New Alternatives Policy Program. *Federal Only - 40 CFR Part 82.*

## V. General Permit Requirements

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

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

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

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

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

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

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

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

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

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

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

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

- 1) The permittee must comply with all of the terms and conditions of this permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
- 2) The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit
- 3) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- 4) This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
- 5) The permittee shall furnish to the Air Pollution Control Program, upon receipt of a written request and within a reasonable time, any information that the Air Pollution Control Program reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(6)(C)1.

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

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

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

None

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

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

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

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

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

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

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

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

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

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

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

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

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

The application utilized in the preparation of this permit was signed by Jim Gillilan, General Manager. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner

or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

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

This permit shall be reopened for cause if:

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

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

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

## **VI. Attachments**

Attachments follow.

**Attachment A**  
 NO<sub>x</sub> Compliance Worksheet

This sheet covers the period from \_\_\_\_\_ to \_\_\_\_\_.  
 (month, year) (month, year)

<b>Emission Point Description (Note 1)</b>	<b>Type of Fuel</b>	<b>Throughput (Note 2)</b>	<b>Throughput Units (Note 2)</b>	<b>NO<sub>x</sub> Emission Factor (Note 3)</b>	<b>Emission Factor Units</b>	<b>NO<sub>x</sub> Emissions (tons) (Note 4)</b>
Turbine 1A	Fuel Oil		Mgal	182.04	Lbs/Mgal	
Turbine 1A	Natural Gas		MMft <sup>3</sup>	735	Lbs/MMft <sup>3</sup>	
Turbine 1B	Fuel Oil		Mgal	182.04	Lbs/Mgal	
Turbine 1B	Natural Gas		MMft <sup>3</sup>	735	Lbs/MMft <sup>3</sup>	
Turbine 2A	Fuel Oil		Mgal	182.04	Lbs/Mgal	
Turbine 2A	Natural Gas		MMft <sup>3</sup>	735	Lbs/MMft <sup>3</sup>	
Turbine 2B	Fuel Oil		Mgal	182.04	Lbs/Mgal	
Turbine 2B	Natural Gas		MMft <sup>3</sup>	735	Lbs/MMft <sup>3</sup>	
Generator 1	Diesel		Mgal	266.21	Lbs/Mgal	
Generator 2	Diesel		Mgal	266.21	Lbs/Mgal	
Generator 3	Diesel		Mgal	266.21	Lbs/Mgal	
Generator 4	Diesel		Mgal	266.21	Lbs/Mgal	
Generator 5	Diesel		Mgal	266.21	Lbs/Mgal	
Space Heater	Waste Oil		Mgal	16	Lbs/Mgal	
Total NO <sub>x</sub> Emissions for Current Month (tons)					(Note 5)	
12-Month NO <sub>x</sub> Emissions Total from Previous Month's Worksheet (tons)					(Note 6)	
Monthly NO <sub>x</sub> Emissions Total from Previous Years Worksheet (tons)					(Note 7)	
Current 12-month Total NO <sub>x</sub> Emissions (tons)					(Note 8)	

Mgal=1,000 gallons and MMft<sup>3</sup>=1,000,000 ft<sup>3</sup>

Note 1: List each emissions point which emits NO<sub>x</sub>. The emission points need to be listed for each type or combination of fuel that the emissions point utilized.

Note 2: The throughput should be in the same units as the emission factor.

Note 3: Emission factors for the turbines have been taken from the CSAPR requirements. Generator Emission factor has been taken from the stack test. Space heater emission factor is from AP-42.

Note 4: (throughput) x (emission factor)/2000

Note 5: Sum of the column.

Note 6: Running 12-month total of NO<sub>x</sub> emissions from previous month's worksheet.

Note 7: NO<sub>x</sub> emissions reported for this month in the last calendar year.

Note 8: Amount reported in Note 5 plus the amount reported in Note 6 minus amount reported in Note 7.

Less than 250.0 tons indicates compliance.

**Attachment B**  
**SO<sub>x</sub> Compliance Worksheet**

This sheet covers the period from \_\_\_\_\_ to \_\_\_\_\_.  
 (month, year) (month, year)

<b>Emission Point Description (Note 1)</b>	<b>Type of Fuel</b>	<b>Throughput (Note 2)</b>	<b>Throughput Units (Note 2)</b>	<b>SO<sub>x</sub> Emission Factor (Note 3)</b>	<b>Emission Factor Units</b>	<b>SO<sub>x</sub> Emissions (tons) (Note 4)</b>
Turbine 1A	Fuel Oil		Mgal	75.85	Lbs/Mgal	
Turbine 1A	Natural Gas		MMft <sup>3</sup>	0.630	Lbs/MMft <sup>3</sup>	
Turbine 1B	Fuel Oil		Mgal	75.85	Lbs/Mgal	
Turbine 1B	Natural Gas		MMft <sup>3</sup>	0.630	Lbs/MMft <sup>3</sup>	
Turbine 2A	Fuel Oil		Mgal	75.85	Lbs/Mgal	
Turbine 2A	Natural Gas		MMft <sup>3</sup>	0.630	Lbs/MMft <sup>3</sup>	
Turbine 2B	Fuel Oil		Mgal	75.85	Lbs/Mgal	
Turbine 2B	Natural Gas		MMft <sup>3</sup>	0.630	Lbs/MMft <sup>3</sup>	
Generator 1	Diesel		Mgal	0.21	Lbs/Mgal	
Generator 2	Diesel		Mgal	0.21	Lbs/Mgal	
Generator 3	Diesel		Mgal	0.21	Lbs/Mgal	
Generator 4	Diesel		Mgal	0.21	Lbs/Mgal	
Generator 5	Diesel		Mgal	0.21	Lbs/Mgal	
Space Heater	Waste Oil		Mgal	107(S)	Lbs/Mgal	
Total SO <sub>x</sub> Emissions for Current Month (tons)					(Note 5)	
12-Month SO <sub>x</sub> Emissions Total from Previous Month's Worksheet (tons)					(Note 6)	
Monthly SO <sub>x</sub> Emissions Total from Previous Years Worksheet (tons)					(Note 7)	
Current 12-month Total NO <sub>x</sub> Emissions (tons)					(Note 8)	

Mgal=1,000 gallons and MMft<sup>3</sup>=1,000,000 ft<sup>3</sup>

Note 1: List each emissions point which emits SO<sub>x</sub>. The emission points need to be listed for each type or combination of fuel that the emissions point utilized.

Note 2: The throughput should be in the same units as the emission factor.

Note 3: Emission factors for the turbines have been taken from the CSAPR requirements. Generator Emission factor from RICE Engine fuel sulfur limit of 15 ppm. Space heater emission factor is from AP-42 Table 1.11-2 where S is the expected or measured weight % sulfur in waste oil. (If sulfur content is 0.5% then S=0.5).

Note 4: (throughput) x (emission factor)/2000

Note 5: Sum of the column.

Note 6: Running 12-month total of SO<sub>x</sub> emissions from previous month's worksheet.

Note 7: SO<sub>x</sub> emissions reported for this month in the last calendar year.

Note 8: Amount reported in Note 5 plus the amount reported in Note 6 minus amount reported in Note 7.

Less than 250.0 tons indicates compliance.

**Attachment C**  
 10 CSR 10-6.350 Compliance Worksheet

Year:

<b>Emission Unit</b>	<b>Beginning of May 01 – Meter Reading</b>	<b>End of September 30 – Meter Reading</b>	<b>Total Hours of Operation</b>
Turbine 1A			
Turbine 1B			
Turbine 2A			
Turbine 2B			

Year:

<b>Emission Unit</b>	<b>Beginning of May 01 – Meter Reading</b>	<b>End of September 30 – Meter Reading</b>	<b>Total Hours of Operation</b>
Turbine 1A			
Turbine 1B			
Turbine 2A			
Turbine 2B			

Year:

<b>Emission Unit</b>	<b>Beginning of May 01 – Meter Reading</b>	<b>End of September 30 – Meter Reading</b>	<b>Total Hours of Operation</b>
Turbine 1A			
Turbine 1B			
Turbine 2A			
Turbine 2B			

Year:

<b>Emission Unit</b>	<b>Beginning of May 01 – Meter Reading</b>	<b>End of September 30 – Meter Reading</b>	<b>Total Hours of Operation</b>
Turbine 1A			
Turbine 1B			
Turbine 2A			
Turbine 2B			

\*[Total Hours] = [September 30 Reading] – [May 01 Reading]

The installation is in compliance if the total hours of operation are less than 400 hours for each emission unit per control period.

**Attachment D**  
Clean Air Interstate Rule

# 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 Nox Trading Program*, 10 CSR 10-6.364 *Clean Air Interstate Rule Seasonal NOx Trading Program*, and 10 CSR 10-6.366, *Clean Air Interstate Rule Sox Trading Program*, the State of Missouri issues this CAIR Permit.

**Installation Name:** Chillicothe Municipal Utilities – Beardmore Energy Center  
**ORIS Code:** 2122  
**Unit IDs:** Units GT1A, GT1B, GT2A and GT2B

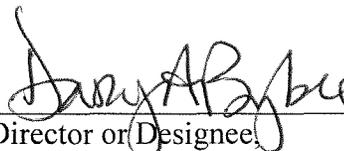
The permit application submitted for this source, as corrected by the State of Missouri Department of Natural Resources' Air Pollution Control Program, Operating Permit Section, is attached. The owners and operators of this source must comply with the standard requirements and special provisions set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

This CAIR Permit applies only to units GT1A, GT1B, GT2A and GT2B at Chillicothe Municipal Utilities – Beardmore Energy Center, plant 117-0002.

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

MAY 21 2018

Date



Director or Designee  
Department of Natural Resources



Plant Name (from Step 1)

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**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.

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**(d) Excess emissions requirements.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**(f) Liability.**

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

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

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

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(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	<u>Jim Gillilan</u>	
Signature	<u>Jim Gillilan</u>	Date <u>9-17-2014</u>

## STATEMENT OF BASIS

### Installation Description

Chillicothe Municipal Utilities operates an electric power production facility using four 297 MMBtu/hr combustion turbines that burn either natural gas or fuel oil, and five 2 MW diesel fired internal combustion engines. There is also a 420,000 gallon diesel fuel storage tank.

Chillicothe Municipal Utilities is considered a major source for Nitrogen Oxides (NO<sub>x</sub>) and Sulfur Oxides (SO<sub>x</sub>).

### Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tons/yr) <sup>1</sup>
CO	29.29
CO <sub>2e</sub>	42,314
HAP: Total	0.51
NO <sub>x</sub>	≤ 250
PM <sub>10</sub>	4.96
PM <sub>2.5</sub>	4.96
SO <sub>x</sub>	≤ 250
VOC	6.55

<sup>1</sup>Each emission unit was evaluated at 8,760 hours of uncontrolled annual operation unless otherwise noted.

### Reported Air Pollutant Emissions, tons per year

Pollutants	2016	2015	2014	2013	2012
Particulate Matter ≤ Ten Microns (PM <sub>10</sub> )	0.06	0.03	0.03	0.04	0.06
Particulate Matter ≤ 2.5 Microns (PM <sub>2.5</sub> )	0.06	0.03	0.03	0.04	0.06
Sulfur Oxides (SO <sub>x</sub> )	1.37	--	0.35	1.55	1.58
Nitrogen Oxides (NO <sub>x</sub> )	6.05	2.62	3.29	4.53	5.32
Volatile Organic Compounds(VOC)	0.03	0.02	0.02	0.01	0.03
Carbon Monoxide (CO)	0.26	0.24	0.22	0.07	0.207

### 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 April 25, 2013;
- 2) 2016 Emissions Inventory Questionnaire, received March 02, 2017;
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition;

- 4) Construction Permit #0684-018;
- 5) Construction Permit #0684-018A and B;
- 6) Construction Permit #0693-021;
- 7) Construction Permit #1294-011;
- 8) Construction Permit # 082002-010 and Amendment; and
- 9) CAIR Application Submitted September 17, 2014.

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

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

None

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

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

10 CSR 10-6.100, *Alternate Emission Limits*

This rule is not applicable because the installation is in an ozone attainment area.

### **Construction Permit Revisions**

The following revisions were made to construction permits for this installation:

None

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

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

This subpart does not apply to the 420,000 gallon #2 Distillate Oil Storage Tank because the liquid stored has a maximum true vapor pressure less than 0.5 psi.

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

This subpart does not apply to the turbines EP-01 through EP-04 because the turbines were constructed and operated in Ohio prior to the effective date (October 02, 1977) for this subpart.

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

This subpart does not apply to the turbines EP-01 through EP-04 because the turbines were not constructed, reconstructed, or modified after February 18, 2005.

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

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

This subpart does not apply to the turbines EP-01 through EP-04 because this subpart only applies to installations that are major for Hazardous Air Pollutants (HAPs).

40 CFR Part 63 Subpart ZZZZ, *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*.

This standard is applicable to the five (5) diesel engine generators (EP-23 through EP-27) and has been included in the operating permit under Permit Condition 3. The initial compliance test was completed December 05, 2012.

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

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

#### **Compliance Assurance Monitoring (CAM) Applicability**

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

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

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

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

#### **Greenhouse Gas Emissions**

This installation is not a major source for greenhouse gases. While Part 70 Permits generally do not establish new emission limits, they consolidate applicable requirements, as defined in Missouri State Regulations 10 CSR 10-6.020 (2)(A)23, into a comprehensive air permit. This source is subject to 40 CFR Part 98- *Mandatory 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 actual CO<sub>2</sub> emissions were not included within this permit. The applicant is required to report actual CO<sub>2</sub> emissions data directly to EPA.

### **Other Regulatory Determinations**

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

Combustion turbines (EP-01 – EP-04) and Generators (EP-23 – EP-27) are considered internal combustion engines. Because of this classification, these units are exempt from this rule by 10 CSR 10-6.220(1)(A).

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

The five (5) diesel engine generators (EP-23 through EP-27) are deemed to be in compliance with this regulation since MACT ZZZZ has a sulfur limitation of 15 ppm and this restriction would meet the 10 CSR 10-6.260 restrictions.

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 the removal of 10 CSR 10-6.260 from the Missouri SIP.

#### *10 CSR 10-6.261, Control of Sulfur Dioxide Emissions*

This regulation applies to the engine-generators (EP-23 through EP-27) but has not been applied within this operating permit because the requirement to combust Ultra Low Sulfur Diesel (ULSD) by MACT ZZZZ is a stricter requirement for sulfur emissions. Therefore, since the units meet the exception 10 CSR 10-6.261(1)(C) they have not been included in a permit condition subject to this rule.

#### *10 CSR 10-6.405, Restriction of Particulate Matter Emissions from Fuel Burning Equipment used for Indirect Heating*

The space heaters are considered direct heating sources and are therefore not subject to this rule by definition.

### **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 APCA'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 APCA a schedule for achieving compliance for that regulation(s).

## Response to Public Comments

A draft of the Chillicothe Municipal Utilities – Beardmore Energy Part 70 Operating Permit was placed on public notice on January 23, 2015, by the Missouri Department of Natural Resources (MDNR). Comments were received on February 24, 2015 from Mark Smith, Air Permitting and Compliance Branch Chief at Environmental Protection Agency Region 7. The four (4) comments are presented below as submitted, with the response to each comment by the Air Pollution Control Program (APCP) directly following.

### Comment #1:

First, **Permit Condition 3** is included in the draft operating permit to incorporate applicable requirements from 40 CFR Part 63, Subpart ZZZZ; *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines* (RICE MACT). Chillicothe Municipal Utilities- Beardmore Energy Center is an existing area source with nonemergency, non-black start compression ignition (CI) RICE greater than 500 horsepower (hp) and therefore is subject to one of two emission limitations listed in Table 2d of 40 CFR Part 63, Subpart ZZZZ. The Beardmore Energy Center was to be in compliance with the applicable emission limitations, operating limitations and other requirements no later than May 3, 2013. Therefore, Beardmore has likely chosen which of the emission limitations they intend to comply with and so only their selection should be included as an applicable requirement in the emission limitations in **Permit Condition 3**. EPA recommends MDNR restrict the emission limitations to only the one that applies.

Second, the draft **Permit Condition 3** includes, as an applicable requirement, an Initial **Compliance** requirement with a statement that the initial compliance test was completed December 5, 2012. This therefore, is not an applicable requirement and this information may be more appropriately included in the **Statement of Basis**. EPA recommends MDNR consider moving this initial compliance statement to the **Statement of Basis**.

Next, **Continuous Compliance** requirement 2), on page 9, requires the permittee to monitor continuously at all times that the stationary RICE is operating. However, there is no mention of what the permittee must monitor or how the permittee shall monitor that the RICE is operating. EPA recommends MDNR include the "what and how" within this continuous compliance

Finally, the Beardmore Energy Center is considered an area hazardous air pollutant (HAP) source. To date, MDNR has not accepted and taken over the compliance responsibilities of the area source RICE NESHAPs and as such relies on the EPA to monitor and manage area source compliance. However, the compliance notification and reporting included in Permit Condition 3 requires the permittee to submit reports to MDNR. EPA contends that if the EPA is responsible for compliance, then the EPA should be the primary recipient of the compliance notifications and reports; with MDNR receiving duplicate copies. Therefore, EPA recommends MDNR add specific clarifying language into the permit condition to show EPA as the primary compliance information recipient related to HAPs and MDNR as secondary.

**Response to Comment #1:**

Both methods of compliance can be used at any time to demonstrate this compliance. Therefore, both options have been included in the operating permit.

The date that the facility demonstrated Initial Compliance has been removed from the permit condition and has been included in the Statement of Basis for this operating permit.

The monitoring requirements that demonstrate continuous compliance are included in the operational limitations section of this permit condition. The permittee shall monitor the pressure drop across the catalyst and the inlet temperature of the catalyst is maintained within a certain range.

EPA has been added to this permit condition as the recipient of all submittals with the Missouri Air Pollution Control Program also receiving the submittals.

**Comment #2:**

Construction Permit #082002-010, issued August 15, 2002, required Chillicothe Municipal Utilities to conduct a stack performance test for NO<sub>x</sub> from the RICE to determine pounds of NO<sub>x</sub> per MMgal diesel fuel burned. This emission rate is then to be used for NO<sub>x</sub> compliance tracking. The draft operating permit includes no mention of the NO<sub>x</sub> emission factor determined by the initial compliance test in 2002. EPA recommends MDNR include a discussion of this emission factor determination in the Statement of Basis and reference the emission factor determination on Attachment A.

Additionally, all of the emission factors used on Attachment A and Attachment B should include a reference so Attachments A and B are practically enforceable documents used to verify compliance. In reviewing Attachments A and B, it indicates that the emission factors used to track SO<sub>2</sub> and NO<sub>x</sub> came from either EPA's Web FIRE or the 2013 EIQ. However, there is no way to determine which emission factor came from EPA's WebFIRE and which came from the 2013 EIQ. Also EPA questions whether or not EIQ emission factors is a practically enforceable reference. The EIQ requires the facility to identify exact source of each emission factor and to submit supporting documentation. EPA recommends MDNR identify exact source of each emission factor used in Attachments A and B to ensure these documents are practically enforceable.

Finally, NO<sub>x</sub> compliance appears to be reliant upon an emission factor developed in 2002 and EPA recommends MDNR include additional periodic monitoring in the operating permit to verify the accuracy of the NO<sub>x</sub> emission factor. 10 CSR 10-6.065(6)(c)1.C.(I)(b) authorizes MDNR to include periodic testing for the relevant time period representative of the installations compliance with the permit. Therefore, EPA recommends MDNR include periodic NO<sub>x</sub> emission factor determination at least once during the term of the operating permit.

**Response to Comment #2:**

The installation is required by CSAPR to use certain emission factors for Low Mass Emission (LME) units. These emission factors are therefore used for the four (4) turbines. The installation is required to maintain compliance with these standards. Therefore, no additional stack testing is required for these LME units.

For Attachments A and B, citations for the source of the emission factors have been included with each emission factor.

**Comment #3:**

Emission Limitation 1) in Permit Condition 1 limits emissions from any new source operation, as required by 10 CSR 10-6.260. However, the term "new" is not specified. EPA recommends MDNR define what is meant by a "new source."

**Response to Comment #3:**

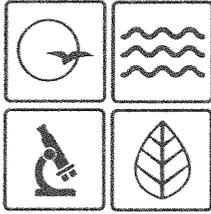
The definition of a new source in reference to 10 CSR 10-6.260 has been included as a footnote for permit condition 1.

**Comment #4:**

MDNR's customary practice is to include example record keeping as attachments to the operating permit for review for practicable enforceability. However, Permit Condition 2 requires the permittee to maintain records of operating hours during which fuel is consumed for each combustion turbine and there is no example record keeping attachment. EPA recommends MDNR include an example of what Beardmore Energy Center uses to track operating hours as an attachment to the operating permit and reference the attachment in Permit Condition 2.

**Response to Comment #4:**

Attachment C has been added to the operating permit for a compliance demonstration with this permit condition. Attachment C has also been referenced in Permit Condition 2.



Missouri Department of dnr.mo.gov

# NATURAL RESOURCES

Eric R. Greitens, Governor

Carol S. Comer, Director

**MAY 21 2018**

Mr. Jim Gillilan  
Chillicothe Municipal Utilities - Beardmore Energy Center  
P.O. Box 140  
Chillicothe, MO 64601

Re: Part 70 Operating Permit Renewal  
Installation ID: 117-0002, Permit Number: OP2018-023

Dear Mr. Gillilan:

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:dbj

Enclosures

c: PAMS File: 2013-04-094

