



INTERMEDIATE STATE PERMIT TO OPERATE

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

Intermediate Operating Permit Number: OP2008-053

Expiration Date: NOV 17 2013

Installation ID: 195-0004

Project Number: 2006-06-031

Installation Name and Address

ConAgra Foods
200 North Banquet Drive
Marshall, MO 65340-1718
Saline County

Parent Company's Name and Address

ConAgra Foods
5 ConAgra Drive
Omaha, NE 68102

Installation Description:

The installation produces frozen foods. The installation has accepted a voluntary limit on sulfur emissions to obtain this Intermediate Operating Permit.

NOV 18 2008

Effective Date

Steven J. Seiler for TLK

Director or Designee
Department of Natural Resources

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

The installation produces frozen foods. The installation has accepted a voluntary limit on sulfur emissions to obtain this Intermediate Operating Permit.

Reported Air Pollutant Emissions, tons per year							
Year	Particulate Matter ≤ Ten Microns (PM-10)	Sulfur Oxides (SO _x)	Nitrogen Oxides (NO _x)	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Lead (Pb)	Hazardous Air Pollutants (HAPs)
2007	11.42	0.04	6.27	1.43	4.12	-	-
2006	9.53	0.03	6.1	1.23	4.14	-	-
2005	0.74	0.06	6.34	1.30	4.23	-	-
2004	0.73	0.04	6.39	1.38	4.29	-	-
2003	10.83	0.32	6.50	1.35	4.24	-	0.09

EMISSION UNITS WITH LIMITATIONS

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

Emission Unit #	Description of Emission Unit
EU0010	Boiler #1 (EP-1)
EU0020	Boiler #2 (EP-2)
EU0030	Boiler-SW (EP-8)
EU0040	Continuous Deep Fat Fryer-East (EP-3)
EU0050	Continuous Deep Fat Fryer-West (EP-5)

EMISSION UNITS WITHOUT LIMITATIONS

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

Description of Emission Source

Pie Line (EP-7)

#2 Fuel Oil Storage Tank (EP-9)

Space Heaters (EP-10)

Direct Heating Units: 2 units above the Skillet Meal Line, total 3.314 MMBtu/hr
 3 units above the Lunchmaker Area, total 8 MMBtu/hr

Indirect Heating Units: 8 heaters, total 0.953 MMBtu/hr

Welding Booth & Portable Welders

Parts Cleaner

Used Oil Heater, 0.26 MMBtu/hr

Equipment to be installed during life of Operating Permit:

2 Munters Air Units with direct heating natural gas fired burners

2 Flour Silos

1 Cooling Tower

DOCUMENTS INCORPORATED BY REFERENCE

This permit incorporates the following documents by reference:

None

II. Plant Wide Emission Limitations

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

PERMIT CONDITION PW-001

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

Emission Limitation:

The fuels burned at this installation shall not exceed 0.44 percent sulfur content.

Monitoring:

The permittee shall monitor the sulfur content of the combustion fuels.

Recordkeeping:

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

Reporting:

The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, no later than ten days after any exceedance of any limitation established by this permit condition.

PERMIT CONDITION PW-002

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

Emission Limitation:

1. No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any existing source any visible emissions with an opacity greater than twenty percent.
2. Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six minutes in any sixty minutes air contaminants with an opacity up to sixty percent.

Monitoring/Record Keeping/Reporting:

As detailed in Core Permit Requirements.

III. Emission Unit Specific Emission Limitations

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

EU0010 through EU0030: Boilers			
Emission Unit	Description	Manufacturer/Model #	2003 EIQ Reference #
EU0010	Boiler #1-West Boiler, Natural Gas or #2 fuel oil, Constructed 9/28/1964, 25.106 MMBtu/hr	Cleaver-Brooks, Model #CB266-600; S/N L-34213	EP-01
EU0020	Boiler #2-East Boiler, Natural Gas or #2 fuel oil, Constructed 9/8/1971, 25.106 MMBtu/hr	Cleaver-Brooks, Model #CB266-600; S/N L-52920	EP-02
EU0030	Boiler-SW Warehouse, Natural Gas, Constructed 1989, 3.35 MMBtu/hr	Cleaver-Brooks, Model CB700-80	EP-08

PERMIT CONDITION (EU0010 through EU0030)-001
 10 CSR 10-3.060, Maximum Allowable Emissions of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating

Emission Limitation:

The permittee shall not emit particulate matter in excess of 0.45 pounds per million BTU of heat input.

Operation Limitation/Equipment Specifications:

These emission units shall be limited to burning pipeline grade natural gas and/or fuel oil number 2.

Monitoring/Record Keeping:

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

Reporting:

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

PERMIT CONDITION (EU0010 through EU0020)-002
 10 CSR 10-6.260, Restriction of Emission of Sulfur Compounds

Emission Limitation:

1. No person shall cause or allow emissions of sulfur dioxide into the atmosphere from any indirect heating source in excess of eight pounds of sulfur dioxide per million BTUs actual heat input averaged on any consecutive three hour time period

2. No person shall cause or permit the emission of sulfur compounds from any source which causes or contributes to concentrations exceeding those specified in 10 CSR 10-6.010, Ambient Air Quality Standards.
3. No person shall cause or permit the emission of sulfur compounds from any source which causes or contributes to concentrations exceeding those specified in 10 CSR 10-6.010, Ambient Air Quality Standards. [10 CSR 10-6.260(4) of August 30, 1996 version, 10 CSR 10-6.260(3)(B) of May 30, 2004 version & 10 CSR 10-6.010 Ambient Air Quality Standards]

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

Operational Limitation/Equipment Specifications:

These emission units shall be limited to burning number 2 fuel oil or natural gas.

Monitoring/Record Keeping:

The monitoring and record keeping requirements of PW001 assure compliance with this regulation.

Reporting:

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

EU0040 through EU0050: Fryers			
Emission Unit	Description	Manufacturer/Model #	2003 EIQ Reference #
EU0040	Continuous Deep Fat Fryer-East, construction pre-1982, Natural Gas fired, 3.5 MMBtu/hr	Stein, Model FE-75; S/N 415	EP-03
EU0050	Continuous Deep Fat Fryer-West, construction pre-1982, Natural Gas fired, 3.5 MMBtu/hr	Stein, Model FE-75; S/N 416	EP-05

PERMIT CONDITION (EU0040 through EU0050)-001

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

Emission Limitation:

1. Particulate matter shall not be emitted from EU0040 or EU0050 in excess of 7.88 lb/hr.
2. The concentration of particulate matter in the exhaust gases shall not exceed 0.30 gr/scf.

Monitoring/Record Keeping:

1. The permittee shall retain the potential to emit calculations in Attachment F which demonstrate that the above emission limitations will not be exceeded.
2. The calculation shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
3. All records shall be kept for a period of five years.

Reporting:

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

IV. Core Permit Requirements

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

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

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

10 CSR 10-6.060 Construction Permits Required

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

10 CSR 10-6.065 Operating Permits

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

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

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) annually.
- 2) The permittee may be required by the director to file additional reports.
- 3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 4) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079 to satisfy the requirements of the Federal Clean Air Act, Title V.
- 5) The permittee shall complete required reports on state supplied EIQ forms or in a form satisfactory to the director and the reports shall be submitted to the director by June 1 after the end of each reporting period.
- 6) The reporting period shall end on December 31 of each calendar year. Each report shall contain the required information for each emission unit for the twelve-month period immediately preceding the end of the reporting period.
- 7) The permittee shall collect, record and maintain the information necessary to complete the required forms during each year of operation of the installation.

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

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

10 CSR 10-6.150 Circumvention

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

10 CSR 10-6.170

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

Emission Limitation:

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

Monitoring:

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

The permittee shall maintain the following monitoring schedule:

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

Recordkeeping:

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

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

10 CSR 10-6.180 Measurement of Emissions of Air Contaminants

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

10 CSR 10-6.045 Open Burning Requirements

- 1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- 2) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
 - a) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
 - i) Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
 - ii) Springfield-Greene County area. The open burning of household refuse must take place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District;
 - iii) St. Joseph area. The open burning of household refuse must take place within an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of St. Joseph; and
 - iv) St. Louis metropolitan area. The open burning of household refuse is prohibited;
 - b) Yard waste, with the following exceptions:
 - i) Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
 - ii) Springfield-Greene County area. The City of Springfield requires an open burning permit for the open burning of trees, brush or any other type of vegetation. The City of Springfield prohibits the open burning of tree leaves;
 - iii) St. Joseph area. Within the corporate limits of St. Joseph, the open burning of trees, tree leaves, brush or any other type of vegetation grown on a residential property is allowed during the following calendar periods and time-of-day restrictions:
 - (1) A three (3)-week period within the period commencing the first day of March through April 30 and continuing for twenty-one (21) consecutive calendar days;
 - (2) A three (3)-week period within the period commencing the first day of October through November 30 and continuing for twenty-one (21) consecutive calendar days;

- (3) The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
- (4) In each instance, the twenty-one (21)-day burning period shall be determined by the director of Public Health and Welfare of the City of St. Joseph for the region in which the City of St. Joseph is located provided, however, the burning period first shall receive the approval of the department director; and
 - iv) St. Louis metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation is limited to the period beginning September 16 and ending April 14 of each calendar year and limited to a total base area not to exceed sixteen (16) square feet. Any open burning shall be conducted only between the hours of 10:00 a.m. and 4:00 p.m. and is limited to areas outside of incorporated municipalities;
- 3) Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.
- 4) ConAgra Foods may be issued an annually renewable open burning permit for open burning provided that an air curtain destructor or incinerator is utilized and only tree trunks, tree limbs, vegetation or untreated wood waste are burned. Open burning shall occur at least two hundred (200) yards from the nearest occupied structure unless the owner or operator of the occupied structure provides a written waiver of this requirement. Any waiver shall accompany the open burning permit application. The permit may be revoked if ConAgra Foods fails to comply with the provisions or any condition of the open burning permit.
 - a) In a non-attainment area, as defined in 10 CSR 10-6.020, paragraph (2)(N)5., the director shall not issue a permit under this section unless the owner or operator can demonstrate to the satisfaction of the director that the emissions from the open burning of the specified material would be less than the emissions from any other waste management or disposal method.
- 5) Reporting and Record Keeping. New Source Performance Standard (NSPS) 40 CFR Part 60 Subpart CCCC establishes certain requirements for air curtain destructors or incinerators that burn wood trade waste. These requirements are established in 40 CFR 60.2245-60.2260. The provisions of 40 CFR Part 60 Subpart CCCC promulgated as of September 22, 2005, shall apply and are hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. To comply with NSPS 40 CFR 60.2245-60.2260, sources must conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the director.
- 6) Test Methods. The visible emissions from air pollution sources shall be evaluated as specified by 40 CFR Part 60, Appendix A—Test Methods, Method 9—Visual Determination of the Opacity of Emissions from Stationary Sources. The provisions of 40 CFR Part 60, Appendix A, Method 9 promulgated as of December 23, 1971, is incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401.

10 CSR 10-3.090 Restriction of Emission of Odors

This requirement is not federally enforceable.

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

10 CSR 10-6.100 Alternate Emission Limits

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

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

Emission Limitation:

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

Monitoring:

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

Recordkeeping:

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

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

Title VI – 40 CFR Part 82 Protection of Stratospheric Ozone

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

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

10 CSR 10-6.280 Compliance Monitoring Usage

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

V. General Permit Requirements

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

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

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

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

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

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

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

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

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

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

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

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

Boiler 1 (EU0010) and Boiler 2 (EU0020) may fire on either natural gas or fuel oil number 2.

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

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

10 CSR 10-6.065, §(5)(C)1 and §(6)(C)7 Emergency Provisions

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

10 CSR 10-6.065(5)(C)5 Off-Permit Changes

- 1) Except as noted below, the permittee may make any change in its permitted installation's operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Off-permit changes shall be subject to the following requirements and restrictions:
 - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is a Title I modification; Please Note: Changes at the installation which affect the emission limitation(s) classifying the installation as an intermediate source (add additional equipment to the record keeping requirements, increase the emissions above major source level) do not qualify for off-permit changes.
 - b) The permittee must provide written notice of the change to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, no later than the next annual emissions report. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change; and
 - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes.

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

The application utilized in the preparation of this permit was signed by Bryan Cooke, Plant Manager. September 4, 2008, the Air Pollution Control Program was informed that David Ripley, Plant Manager is now the responsible official. 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 thirty days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in

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

10 CSR 10-6.065 §(5)(E)4 and §(6)(E)6.A(III)(a)-(c) Reopening-Permit for Cause

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 2) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
 - a) The permit has a remaining term of less than three years;
 - b) The effective date of the requirement is later than the date on which the permit is due to expire;
or
 - c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 3) MDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

10 CSR 10-6.065 §(5)(E)1.A and §(6)(E)1.C Statement of Basis

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

VI. Attachments

Attachments follow.

Attachment C

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

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

Readings ranged from _____ to _____ % opacity.

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

Attachment E

Indirect Heating Compliance Calculations

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

Emission Limit for EU0010 through EU0030 (existing, i.e. installed by 02/15/1979):

$$0.90 Q^{-0.174} = 0.90(54.775)^{-0.174} = 0.45 \text{ lb/mmBtu}$$

where Q is the total heat input of all indirect heating sources at the installation.

The following equipment was used to obtain the total heat input (Q) for the above equation:

Equipment	Heat Input (mmBtu/hr)
Boiler #1 (EU0010)	25.106
Boiler #2 (EU0020)	25.106
Boiler-SW (EU0030)	3.35
Used Oil Heater	0.26
Indirect Space Heaters (EP-10)	0.953
TOTAL	54.775

The following table demonstrates compliance with the emission limit:

Potential Emission Rate (lb/mmBtu) = MHDR * Emission Factor

Emission Unit #	MHDR (MMBtu/hr)	PM Emission Factor (lb/MMBtu)	Emission Factor Reference	Potential Emission Rate (lb/MMBtu)	Emission Rate Limit (lb/MMBtu)
EU0010 (nat. gas)	25.106	0.007	WebFIRE, SCC 10200602	0.18	11.30
EU0010 (Fuel Oil #2)	25.106	0.014	WebFIRE, SCC 10200502	0.36	11.30
EU0020 (nat. gas)	25.106	0.007	WebFIRE, SCC 10200602	0.18	11.30
EU0010 (Fuel Oil #2)	25.106	0.014	WebFIRE, SCC 10200502	0.36	11.30
EU0030 (nat. gas)	3.35	0.007	WebFIRE, SCC 10200603	0.02	11.30
Used Oil Heater	0.26	0.007	WebFIRE, SCC 10200603	0.002	0.18
Indirect Space Heaters (EP10)	0.953	0.007	WebFIRE, SCC 10200603	0.007	0.43

Attachment F

Process Weight Compliance Calculations

This attachment may be used to demonstrate compliance with the limitations of 10 CSR 10-6.400 *Restriction of Emission of Particulate Matter From Industrial Processes* for the equipment listed.

PM Emission limit:

$$E = 4.1(P)^{0.67} \quad (P \leq 30)$$

$$E = 4.1(2.65)^{0.67} = 7.88$$

P is process weight rate in tons/hour and E is emission rate limit in lb/hour

Potential PM Emission Rate:

$$\text{Emission Rate (lb/hr)} = \text{Process Weight Rate (ton/hr)} * \text{PM Emission Factor (lb/ton)}$$

EU#	Equipment Description	Process Weight Rate (ton/hr)	PM Emission Factor (lb/ton)	Emission Factor Reference	Potential Uncontrolled Emission Rate (lb/hr)	Emission Rate Limit (lb/hr)
EU0040	Continuous Deep Fat Fryer-East (EP-3)	2.65	0.56	WebFIRE, SCC 30203602	1.48	7.88
EU0050	Continuous Deep Fat Fryer-East (EP-5)	2.65	0.56	WebFIRE, SCC 30203602	1.48	7.88

STATEMENT OF BASIS

Voluntary Limitations

In order to qualify for this Intermediate State Operating Permit, the permittee has accepted voluntary, federally enforceable emission limitations. Per 10 CSR 10-6.065(5)(C)1.A.(VI), if these limitations are exceeded, the installation immediately becomes subject to 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit. It is the permittee's responsibility to monitor emission levels and apply for a part 70 operating permit far enough in advance to avoid this situation. This may mean applying more than eighteen months in advance of the exceedance, since it can take that long or longer to obtain a part 70 operating permit.

Permit Reference Documents

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

- 1) Intermediate Operating Permit Application, received June 6, 2006;
- 2) 2007 Emissions Inventory Questionnaire, received May 20, 2008;
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition, and
- 4) WebFIRE

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

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

None

Other Air Regulations Determined Not to Apply to the Operating Permit

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

None

Construction Permit Revisions

The installation does not have any construction permits.

New Source Performance Standards (NSPS) Applicability

40 CFR Part 60, Subpart D- *Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971*

40 CFR Part 60, Subpart Da- *Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978*

40 CFR Part 60, Subpart Db- *Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units*

40 CFR Part 60, Subpart Dc- *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*

These regulations do not apply to Boiler 1 (EU0010) or Boiler 2 (EU0020) because these boilers were constructed in 1964. The earliest applicability date of these regulations is 1971. These regulations do not apply to Boiler-SW (EU0030) because the MHDR is 3.35 MMBtu/hr. The smallest size boiler covered by these regulations is 10 MMBtu/hr.

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

40 CFR Part 60, Subpart Ka- *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984*

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*

These regulations do not apply to the number 2 Fuel Oil Storage Tank. The smallest size tank covered by these regulations is 19,813 gallons. The storage tank has a capacity of 15,000 gallons.

Maximum Available Control Technology (MACT) Applicability

40 CFR Part 63, Subpart T- *National Emission Standards for Halogenated Solvent Cleaning*

This regulation does not apply to the parts washer because it does not use any of the materials detailed in the applicability section of the rule.

40 CFR Part 63, Subpart DDDDD - *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters*

On July 30, 2007, the United States Court of Appeals, District of Columbia Circuit, officially ordered a full vacatur of the Boiler MACT rule. The vacatur has the same effect as if a federal Boiler MACT rule was never promulgated. This means there is no longer a September 13, 2007 compliance date for sources affected by this HAP source category. We are awaiting written guidance from EPA on how to handle sources formerly subject to the Boiler MACT, which may include the boilers at this installation. If there is a new MACT promulgated and these units are subject with requirements a major modification will be required to update this operating permit.

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

In the permit application and according to Air Pollution Control Program 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.

Other Regulatory Determinations

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

This regulation applies to Boilers 1 and 2 (EU0010 and EU0020) while they are burning number 2 Fuel Oil. When these units combust natural gas, compliance is assured by the nature of the fuel. The other combustion units at this installation combust only natural gas, and therefore meet the exemption in (1)(A)2.

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

The Pie Line (EP-07) is not subject to this regulation, per the exemption in (1)(B)11, as shown: MHDR=2.78 tons/hr; Emission factor=0.061 lb PM/ton (WebFIRE SCC 30200732)

$$2.78 \frac{\text{tons}}{\text{hr}} \times 0.061 \frac{\text{lbs PM}}{\text{ton}} = 0.17 \frac{\text{lbs PM}}{\text{ton}} < 0.5 \frac{\text{lbs PM}}{\text{ton}}$$

New Flour Silos

During the term of this operating permit, the installation will be constructing two flour silos, with associated enclosed pneumatic conveying equipment. This process consists of two operations, unloading from delivery trucks (fifteen ton/hr) and pneumatic conveying to the receiver tank (six ton/hr). From the receiver tank, the flour enters the production line, where it is processed into pasta. In the production area, there are no sources of air emissions.

Although the unloading system is subject to this regulation, the potential to emit is less than the limit imposed by this regulation, therefore this unit will always be in compliance, as shown below:

$$\text{Unloading Potential emissions: } 15 \frac{\text{tons}}{\text{hr}} \times 0.061 \frac{\text{lbs PM}}{\text{ton}} = 0.915 \frac{\text{lbs PM}}{\text{hr}}$$

$$\text{Unloading limit: } E = 4.10(15)^{0.67} = 25.16 \frac{\text{lbs PM}}{\text{hr}}$$

The conveying units are exempt from this regulation, per (1)(B)11.

$$\text{Conveying potential emissions: } 6 \frac{\text{tons}}{\text{hr}} \times 0.061 \frac{\text{lbs PM}}{\text{ton}} = 0.37 \frac{\text{lbs PM}}{\text{hr}}$$

The installation also expects to install a cooling tower, which is exempt from this regulation, as shown below:

Cooling tower potential emissions:

$$0.6 \frac{\text{Mgal}}{\text{hr}} \times 0.0019 \frac{\text{lbs PM}}{\text{ton}} \times 8.34 \frac{\text{lbs}}{\text{gal}} \times \frac{1000 \text{ gal}}{\text{Mgal}} \times \frac{1 \text{ ton}}{2000 \text{ lb}} = 0.05 \frac{\text{lbs PM}}{\text{hr}}$$

10 CSR 10-6.065, *Operating Permits*

Potential to Emit and Voluntary Limitation

The installation has potential to emit more than 100 tons/year of sulfur dioxide. In order to qualify for this Intermediate Operating Permit, the installation has accepted a limitation of the sulfur content of the fuel burned. The potential emissions of the installation are presented below:

Pollutant	Potential to Emit by Emission Points (tpy) (see note 1)									Total PTE-#2 oil (tpy) (see note 2)	Total PTE-NG (tpy) (note 3)
	EP 1-NG	EP 1-#2 Oil	EP 2-NG	EP 2-#2 Oil	EP-3	EP-5	EP-7	EP-8	EP-10		
PM	0.82	1.57	0.82	1.57	6.50	6.50	0.74	0.11	0.31	17.30	15.80
PM10	0.82	1.81	0.82	1.81	0	0.00	0.41	0.11	0.47	4.61	2.63
SOx	0.06	49.77	0.06	49.77	0.01	0.01	0	0	0.03	99.58	0.18
NOx	10.78	15.71	10.78	15.71	2.10	2.10	0	1.44	5.41	42.47	32.62
CO	9.06	3.93	9.06	3.93	0	0.00	0	1.21	1.08	10.14	20.40
VOC	0.59	0.20	0.59	0.20	1.03	1.03	0	0.08	0.29	2.82	3.61
HAPS	0.20	0.00	0.20	0.00	0	0.00	0	0.00	0.00	0.00	0.41

Note 1: Emission point #9 is the #2 Fuel Oil storage tank. It is not included in this table because the potential VOC emissions are negligible.

Note 2: This column shows the potential emissions when Boilers #1 and #2 are firing #2 Fuel Oil, and all other combustion sources are firing natural gas (NG). The SOx potential was calculated using the voluntary permit limitation of 0.44% sulfur content of the fuel.

Note 3: This column shows the potential emissions when all combustion sources are firing natural gas.

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

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

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

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

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