



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: OP2010-022
Expiration Date: MAR 01 2015
Installation ID: 077-0036
Project Number: 2005-05-018

Installation Name and Address

Dairy Farmers of America, Inc.
800 W Tampa Street
Springfield, MO 65802
Greene County

Parent Company's Name and Address

Dairy Farmers of America, Inc.
10220 North Ambassador Drive
Kansas City, MO 64190-9700

Installation Description:

Dairy Farmers of America, Inc. is a dairy products processing plant. The products at this installation are shelf stable dairy and non-dairy based beverages. Boilers are used to provide steam for the plant production operations.

MAR 02 2010

Effective Date

Director or Designee
Department of Natural Resources

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Dairy Farmers of America, Inc. is a dairy products processing plant. The products at this installation are shelf stable dairy and non-dairy based beverages. Three natural gas fired boilers are used to provide steam for the plant production operations. The boilers are capable of using #6 fuel oil and #2 fuel oil as back up fuel sources.

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)
2008	0.97	0.06	9.31	0.96	7.82
2007	0.59	0.05	7.77	0.43	6.52
2006	0.63	0.05	8.25	0.90	6.93
2005	0.57	0.04	7.47	0.41	6.27
2004	0.63	0.05	8.32	0.46	6.99

EMISSION UNITS WITH LIMITATIONS

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

Emission Unit #	Description of Emission Unit
EU0010	Boiler No. 1
EU0020	Boiler No. 2
EU0030	Boiler No. 3
EU0040	Blending/Liquifier
EU0050	Blending/Liquifier

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.

Description of Emission Source

25,000 gallon Fuel Oil No. 2 storage tank
 Coffee grounds storage and loading
 Sugar unloading and storage

DOCUMENTS INCORPORATED BY REFERENCE

These documents have been incorporated by reference into this permit.

- 1) Air Pollution Control Authority, Springfield Construction Permit No. 0389-037D
- 2) Air Pollution Control Authority, Springfield Construction Permit No. 0389-036D

II. Plant Wide Emission Limitations

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

None.

III. Emission Unit Specific Emission Limitations

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

EU0010 – Boiler – Natural Gas, Fuel Oil #6, and Fuel Oil #2 Fired			
Emission Unit	Description	Manufacturer/Model #	2008 EIQ Reference #
EU0010	66 MMBTU/hr, natural gas/fuel oil #6/fuel oil #2 fired boiler. Constructed in 1980	Keeler/NB#449570	EP01

PERMIT CONDITION EU0010-001

10 CSR 10-4.040, *Maximum Allowable Emission of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating*

Springfield Air Quality Control Section 6, Article III, Division 3, *Particulate Matter from Fuel Burning Equipment*

Emission Limitation:

The permittee shall not emit particulate matter in excess of 0.22 pounds per million BTU of heat input.

Operational Limitation/Equipment Specifications:

This emission unit shall be limited to burning pipeline grade natural gas, no. 6 fuel oil, and no. 2 fuel oil.

Monitoring:

The installation will maintain record keeping in such manner to demonstrate compliance.

Record keeping:

1. The permittee shall retain the potential PM emission rate and fuel heat input calculations in Attachment E which demonstrate that the above emission limitation will never be exceeded while burning natural gas, no. 6 fuel oil, or no. 2 fuel oil. No further record keeping shall be required to demonstrate compliance with this emission limitation.
2. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel and the City of Springfield personnel upon request.

Reporting:

The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Springfield Air Pollution Control Authority, 227 East Chestnut Expressway, Springfield, MO 65802, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

PERMIT CONDITION EU0010-002

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

Springfield Air Quality Control Section 6, Article III, Division 2, *Visible Air Contaminants from Equipment*

Emission Limitation:

1. No owner or other person shall cause or permit to be discharged into the atmosphere from any new source any visible emissions with an opacity greater than 20%.
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 60 minutes air contaminants with an opacity up to 60%.

Monitoring:

1. The permittee shall conduct opacity readings on this emission unit using the procedures contained in U.S. EPA Test Method 22. Readings are only required when the emission unit is operating and when the weather conditions allow. If no visible or other significant emissions are observed using these procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a U.S. EPA Test Method 9 observation.
2. The following monitoring schedule must be maintained:
 - a) Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then-
 - b) Observations must be made once every two weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then
 - c) Observations must be made once per month. 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.

Record Keeping:

1. The permittee shall maintain records of all observation results (see Attachments B and C), noting:
 - a) Whether any air emissions (except for water vapor) were visible from the emission units,
 - b) All emission units from which visible emissions occurred, and
 - c) Whether the visible emissions were normal for the process.
2. The permittee shall maintain records of any equipment malfunctions. (see Attachment D)
3. The permittee shall maintain records of any U.S. EPA Method 9 opacity test performed in accordance with this permit condition. (see Attachment C)
4. Attachments B, C, and D contain logs including these record keeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.
5. These records shall be made available immediately for inspection to the Department of Natural Resources and the City of Springfield personnel upon request.
6. All records shall be maintained for five (5) years.

Reporting:

1. The permittee shall report to the Air Pollution Control Program’s Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 and to the Springfield Air Pollution Control Authority, 227 East Chestnut Expressway, Springfield, MO 65802, no later than ten (10) days after the permittee determined using the Method 9 test that the emission unit(s) exceeded the opacity limit.
2. Reports of any deviations from monitoring, record keeping, and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by Section V of this permit.

PERMIT CONDITION EU0010-003
 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 (8) pounds of sulfur dioxide per million BTUs actual heat input averaged on any consecutive three (3) 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. [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 (µg/m ³))	Annual arithmetic mean
	0.14 ppm (365 µg/m ³)	24-hour average not to be exceeded more than once per year
	0.5 ppm (1300 µg/m ³)	3-hour average not to be exceeded more than once per year
Hydrogen Sulfide (H ₂ S)	0.05 ppm (70 µg/m ³)	½-hour average not to be exceeded over 2 times per year
	0.03 ppm (42 µg/m ³)	½-hour average not to be exceeded over 2 times in any 5 consecutive days
Sulfuric Acid (H ₂ SO ₄)	10 µg/m ³	24-hour average not to be exceeded more than once in any 90 consecutive days
	30 µg/m ³	1-hour average not to be exceeded more than once in any 2 consecutive days

Operational Limitation/Equipment Specifications:

The emission unit shall be limited to burning pipeline grade natural gas, #6 fuel oil, or #2 fuel oil with a sulfur content of no more than 1.5% sulfur by weight.

Monitoring/Record Keeping:

1. The permittee shall retain compliance calculations in Attachment G which demonstrate that the above emission limitations will never be exceeded. No further record keeping shall be required to demonstrate compliance with these emission limitations.

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

Reporting:

The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Springfield Air Pollution Control Authority, 227 East Chestnut Expressway, Springfield, MO 65802, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

EU0020 and EU0030 – Boilers – Natural Gas, Fuel Oil #6, and Fuel Oil #2 Fired			
Emission Unit	Description	Manufacturer/Model #	2008 EIQ Reference #
EU0020 and EU0030	66 MMBTU/hr - each, natural gas/fuel oil #6/fuel oil #2 fired boiler. Date of manufacture: 1989	Keeler/NB#B791 and Keeler/NB#003450	EP02 and EP03

<p>PERMIT CONDITION (EU0020 and EU0030)-001</p> <p>10 CSR 10-4.040, <i>Maximum Allowable Emission of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating</i></p> <p>Springfield Air Quality Control Section 6, Article III, Division 3, <i>Particulate Matter from Fuel Burning Equipment</i></p>

Emission Limitation:

The permittee shall not emit particulate matter in excess of 0.22 pounds per million BTU of heat input.

Operational Limitation/Equipment Specifications:

This emission unit shall be limited to burning pipeline grade natural gas, no. 6 fuel oil, and no. 2 fuel oil.

Monitoring:

The installation will maintain record keeping in such manner to demonstrate compliance.

Record keeping:

1. The permittee shall retain the potential PM emission rate and fuel heat input calculations in Attachment E which demonstrate that the above emission limitation will never be exceeded while burning natural gas, no. 6 fuel oil, or no. 2 fuel oil. No further record keeping shall be required to demonstrate compliance with this emission limitation.
2. These records shall be made available immediately for inspection to the Department of Natural Resources' personnel and the City of Springfield personnel upon request.

Reporting:

The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Springfield Air Pollution Control Authority, 227 East Chestnut Expressway, Springfield, MO 65802, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

PERMIT CONDITION (EU0020 and EU0030)-002

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

Springfield Air Quality Control Section 6, Article III, Division 2, *Visible Air Contaminants from Equipment*

Emission Limitation:

1. No owner or other person shall cause or permit to be discharged into the atmosphere from any new source any visible emissions with an opacity greater than 20%.
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 60 minutes air contaminants with an opacity up to 60%.

Monitoring:

1. The permittee shall conduct opacity readings on this emission unit using the procedures contained in U.S. EPA Test Method 22. Readings are only required when the emission unit is operating and when the weather conditions allow. If no visible or other significant emissions are observed using these procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a U.S. EPA Test Method 9 observation.
2. The following monitoring schedule must be maintained:
 - a) Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then-
 - b) Observations must be made once every two weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then
 - c) Observations must be made once per month. 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.

Record Keeping:

1. The permittee shall maintain records of all observation results (see Attachments B and C), noting:
 - a) Whether any air emissions (except for water vapor) were visible from the emission units,
 - b) All emission units from which visible emissions occurred, and
 - c) Whether the visible emissions were normal for the process.
2. The permittee shall maintain records of any equipment malfunctions. (see Attachment D)
3. The permittee shall maintain records of any U.S. EPA Method 9 opacity test performed in accordance with this permit condition. (see Attachment C)

4. Attachments B, C, and D contain logs including these record keeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.
5. These records shall be made available immediately for inspection to the Department of Natural Resources and the City of Springfield personnel upon request.
6. All records shall be maintained for five (5) years.

Reporting:

1. The permittee shall report to the Air Pollution Control Program’s Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 and to the Springfield Air Pollution Control Authority, 227 East Chestnut Expressway, Springfield, MO 65802, no later than ten (10) days after the permittee determined using the Method 9 test that the emission unit(s) exceeded the opacity limit.
2. Reports of any deviations from monitoring, record keeping, and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by Section V of this permit.

PERMIT CONDITION (EU0020 and EU0030)-003
 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 (8) pounds of sulfur dioxide per million BTUs actual heat input averaged on any consecutive three (3) 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. [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 (µg/m ³))	Annual arithmetic mean
	0.14 ppm (365 µg/m ³)	24-hour average not to be exceeded more than once per year
	0.5 ppm (1300 µg/m ³)	3-hour average not to be exceeded more than once per year
Hydrogen Sulfide (H ₂ S)	0.05 ppm (70 µg/m ³)	½-hour average not to be exceeded over 2 times per year
	0.03 ppm (42 µg/m ³)	½-hour average not to be exceeded over 2 times in any 5 consecutive days
Sulfuric Acid (H ₂ SO ₄)	10 µg/m ³	24-hour average not to be exceeded more than once in any 90 consecutive days
	30 µg/m ³	1-hour average not to be exceeded more than once in any 2 consecutive days

Operational Limitation/Equipment Specifications:

The emission unit shall be limited to burning pipeline grade natural gas, #6 fuel oil, or #2 fuel oil with a sulfur content of no more than 1.5% sulfur by weight.

Monitoring/Record Keeping:

1. The permittee shall retain compliance calculations in Attachment G which demonstrate that the above emission limitations will never be exceeded. No further record keeping shall be required to demonstrate compliance with these emission limitations.
2. The permittee shall maintain an accurate record of the sulfur content of fuel used. The installation shall maintain records of the amount of fuel burned and verify the sulfur content. Fuel purchase receipts, analyzed samples, or certifications that verify the fuel type and sulfur content will be acceptable.
3. These records shall be made available immediately for inspection to the Department of Natural Resources and the City of Springfield personnel upon request.
4. All records shall be maintained for five years.

Reporting:

The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 and to the Springfield Air Pollution Control Authority, 227 East Chestnut Expressway, Springfield, MO 65802, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

PERMIT CONDITION (EU0020 and EU0030)-004

Springfield Air Pollution Control Authority Permit to Construct No. 0389036D
Springfield Air Pollution Control Authority Permit to Construct No. 0389037D

Emission Limitation:

1. The emission units shall be limited to burning pipeline grade natural gas, no. 6 fuel oil, or no. 2 fuel oil with a sulfur content of not more than 1.5% by weight.
2. The sum of emissions of SO_x from these two boilers, when burning fuel oil no. 6 or fuel oil no. 2, must be less than the total of 40 tons per year on a rolling 12-month basis.

Operational Limitation/Equipment Specifications:

This emission unit shall be limited to burning pipeline grade natural gas, no. 6 fuel oil, and no. 2 fuel oil.

Monitoring:

1. When burning pipeline grade natural gas, no monitoring of emissions is required.
2. The installation will monitor the sulfur content of the no. 6 fuel oil and the no. 2 fuel oil that is combusted to assure the sulfur content is not more than 1.5% by weight. Otherwise, compliance to the emission limitations shall be determined by source testing annually and shall be accomplished as specified in 10 CSR 10-6.030(6). Other methods approved by the staff Director in advance may be used.
3. When burning no. 6 fuel oil or no. 2 fuel oil, boilers #2 and #3, shall monitor for the monthly emissions of SO_x and also the total quantity of SO_x emissions over the previous 12-month period (rolling 12-month basis).

Record keeping:

1. The permittee shall retain an accurate record of the sulfur content of the no. 6 fuel oil and the no. 2 fuel oil combusted.

2. Monthly records shall be kept that are adequate to determine the total emissions of SO_x from the two boilers combined when burning no. 6 fuel oil and no. 2 fuel oil. These records shall also indicate the total quantity of SO_x emissions over the previous 12-month period. The attached form (Attachment F) may be used for this purpose.
3. These records shall be made available immediately for inspection to the Department of Natural Resource' personnel and the City of Springfield personnel upon request.
4. All records shall be maintained for five years.

Reporting:

The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program's, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Springfield Air Pollution Control Authority, 227 East Chestnut Expressway, Springfield, MO 65802, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

EU0040 and EU0050 – Liquefier Stations			
Emission Unit	Description	Manufacturer/Model #	2008 EIQ Reference #
EU0040 and EU0050	East and West Blending Units with Rotoclone Control.	Rotoclone 1, American Air Filter, Type W size 10, S.N. 320060; Rotoclone 2, American Air Filter, Type W size 10, S.N. 780008	EP04

PERMIT CONDITION (EU0040 and EU0050)-001
 10 CSR 10-6.220, *Restriction of Emission of Visible Air Contaminants*

 Springfield Air Quality Control Section 6, Article III, Division 2, *Visible Air Contaminants from Equipment*

Emission Limitation:

1. No owner or other person shall cause or permit to be discharged into the atmosphere from any new source any visible emissions with an opacity greater than 20%.
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 60 minutes air contaminants with an opacity up to 60%.

Monitoring:

1. The permittee shall conduct opacity readings on this emission unit using the procedures contained in U.S. EPA Test Method 22. Readings are only required when the emission unit is operating and when the weather conditions allow. If no visible or other significant emissions are observed using these procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a U.S. EPA Test Method 9 observation.
2. The following monitoring schedule must be maintained:
 - a) Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then-

- b) Observations must be made once every two weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then
 - c) Observations must be made once per month. 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.

Record Keeping:

1. The permittee shall maintain records of all observation results (see Attachments B and C), noting:
 - a) Whether any air emissions (except for water vapor) were visible from the emission units,
 - b) All emission units from which visible emissions occurred, and
 - c) Whether the visible emissions were normal for the process.
2. The permittee shall maintain records of any equipment malfunctions. (see Attachment D)
3. The permittee shall maintain records of any U.S. EPA Method 9 opacity test performed in accordance with this permit condition. (see Attachment C)
4. Attachments B, C, and D contain logs including these record keeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.
5. These records shall be made available immediately for inspection to the Department of Natural Resources and the City of Springfield personnel upon request.
6. All records shall be maintained for five (5) years.

Reporting:

1. The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Springfield Air Pollution Control Authority, 227 East Chestnut Expressway, Springfield, MO 65802, no later than ten (10) days after the permittee determined using the Method 9 test that the emission unit(s) exceeded the opacity limit.
2. Reports of any deviations from monitoring, record keeping, and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by Section V of this permit.

IV. Core Permit Requirements

The installation shall comply with each of the following regulations or codes. Consult the appropriate sections in the Code of Federal Regulations (CFR) 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 following is only an excerpt from the regulation or code, and is provided for summary purposes only.

10 CSR 10-6.045 Open Burning Requirements

- (1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- (2) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
 - (A) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
 1. 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;
 2. 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;
 3. 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
 4. St. Louis metropolitan area. The open burning of household refuse is prohibited;
 - (B) Yard waste, with the following exceptions:
 1. Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
 2. 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;
 3. 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:
 - A. 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;
 - B. 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;
 - C. The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
 - D. 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

4. 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) Dairy Farmers of America, Inc. 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 Dairy Farmers of America, Inc. fails to comply with the provisions or any condition of the open burning permit.
 - (A) In a nonattainment area, as defined in 10 CSR 10-6.020, paragraph (2)(N)5., the Director shall not issue a permit under this section unless the owner or operator can demonstrate to the satisfaction of the Director that the emissions from the open burning of the specified material would be less than the emissions from any other waste management or disposal method.
- (5) Reporting and 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.

Springfield Air Quality Control Section 6 Article IV Open Burning

No person shall cause, permit, or allow the open burning of refuse, for salvage operations, and/or trade wastes. An application for a permit to burn certain materials may be submitted to the Director of public health. If the Director of public health and welfare shall find upon examination of the application that the open burning proposed is reasonably necessary for disposal and that it will not unreasonably affect the public health, safety, or welfare, he may grant a permit to conduct such open burning. This article does not apply to fires set in accordance with agricultural operations related to the growing or harvesting of crops, fires set for the purpose of instructing and training firefighters, or fires used for the noncommercial preparation of food such as by barbecuing.

Springfield Air Quality Control Section 6 Article IX Breakdown of Equipment

In the event that emissions as a direct result of upset conditions or breakdown exceed any of the established limits, the permittee shall advise the city of Springfield Director of Health of such a breakdown and outline a corrective program acceptable to the Director.

This requirement is not federally or state enforceable.

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the Director within two business days, in writing, the following information:
 - a) Name and location of installation;
 - b) Name and telephone number of person responsible for the installation;
 - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
 - d) Identity of the equipment causing the excess emissions;
 - e) Time and duration of the period of excess emissions;
 - f) Cause of the excess emissions;
 - g) Air pollutants involved;
 - h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude;
 - i) Measures taken to mitigate the extent and duration of the excess emissions; and
 - j) Measures taken to remedy the situation that caused the excess emissions and the measures taken or planned to prevent the recurrence of these situations.
- 2) The permittee shall submit the paragraph 1 information list to the Director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the Director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days.
- 3) Upon receipt of a notice of excess emissions issued by an agency holding a certificate of authority under section 643.140, RSMo, the permittee may provide information showing that the excess emissions were the consequence of a malfunction, start-up or shutdown. The information, at a minimum, should be the paragraph 1 list and shall be submitted not later than 15 days after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the Director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.
- 4) Nothing in this rule shall be construed to limit the authority of the Director or commission to take appropriate action, under sections 643.080, 643.090 and 643.151, RSMo to enforce the provisions of the Air Conservation Law and the corresponding rule.
- 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported.

Springfield Air Quality Control Section 6 Article II, Division 2 Approval of Planned Installations

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

10 CSR 10-6.065 Operating Permits

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

10 CSR 10-6.110 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 be complete required reports on state supplied EIQ forms or in a form satisfactory to the Director and shall be submitted to the Director by June 1 after the end of each reporting period. Any revision to the EIQ forms will be presented to the regulated community for a forty-five (45)-day comment 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 (12)-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

Springfield Air Quality Control Section 6 Article X 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

- 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 10-4.070 Restriction on Emission of Odors

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 requirement is not federally enforceable.

Springfield Air Quality Control Section 6 Article VI Ambient Air Odor Control

No person shall emit odorous matter as to cause an objectionable odor on or adjacent to:

- 1) Residential, recreational, institutional, retail sales, hotel or educational premises.
- 2) Industrial premises when air containing odorous matter is diluted with 20 or more volumes of odor-free air; or
- 3) Premises other than those in 1. and 2 above when air containing odorous matter is diluted with four or more volumes of odor-free air.

The previously mentioned requirement shall apply only to objectionable odors. An odor will be deemed objectionable when 30% or more of a sample of the people exposed to it believe it to be objectionable in usual places of occupancy; the sample size to be at least 20 people or 75% of those exposed if fewer than 20 people are exposed.

This requirement is not federally enforceable.

Springfield Air Quality Control Section 6 Article VII Air Pollution Nuisances

No person shall cause, allow, or permit the escape of gases or particulate matter from any source in such a manner or in such quantities as to unreasonably endanger the health, safety, or welfare of any person or of the public, or in such quantities or in such a manner as to cause unreasonable injury or damage to property or businesses. The escape of such matter is declared to be a public nuisance.

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(6)(C)1.B Permit Duration

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

10 CSR 10-6.065(6)(C)1.C General 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, MO 65102.
 - b) The permittee shall submit a report of all required monitoring by:
 - i) October 1st for monitoring which covers the January through June time period, and
 - ii) April 1st for monitoring which covers the July through December time period.
 - iii) Exception. Monitoring requirements which require reporting more frequently than semi annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
 - c) Each report shall identify any deviations from emission limitations, monitoring, 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. Supplemental reports are required no later than ten days after any exceedance of any applicable rule, regulation or other restriction. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
 - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7.A of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.

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

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

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

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

10 CSR 10-6.065(6)(C)1.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, 901 North 5th Street, Kansas City, KS 66101, as well as the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:
 - a) The identification of each term or condition of the permit that is the basis of the certification;
 - b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;

- c) Whether compliance was continuous or intermittent;
- d) The method(s) used for determining the compliance status of the installation, both currently and over the reporting period; and
- e) Such other facts as the Air Pollution Control Program will require in order to determine the compliance status of this installation.

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

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

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

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

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

An installation that has been issued a Part 70 operating permit is not required to apply for or obtain a permit revision in order to make any of the changes to the permitted installation described below if the changes are not Title I modifications, the changes do not cause emissions to exceed emissions allowable

under the permit, and the changes do not result in the emission of any air contaminant not previously emitted. The permittee shall notify the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, at least seven days in advance of these changes, except as allowed for emergency or upset conditions. Emissions allowable under the permit means a federally enforceable permit term or condition determined at issuance to be required by an applicable requirement that establishes an emissions limit (including a work practice standard) or a federally enforceable emissions cap that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject.

- 1) Section 502(b)(10) changes. Changes that, under section 502(b)(10) of the Act, contravene an express permit term may be made without a permit revision, except for changes that would violate applicable requirements of the Act or contravene federally enforceable monitoring (including test methods), record keeping, reporting or compliance requirements of the permit.
 - a) Before making a change under this provision, The permittee shall provide advance written notice to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, describing the changes to be made, the date on which the change will occur, and any changes in emission and any permit terms and conditions that are affected. The permittee shall maintain a copy of the notice with the permit, and the Air Pollution Control Program shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the Air Pollution Control Program as above at least seven days before the change is to be made. If less than seven days notice is provided because of a need to respond more quickly to these unanticipated conditions, the permittee shall provide notice to the EPA and the Air Pollution Control Program as soon as possible after learning of the need to make the change.
 - b) The permit shield shall not apply to these changes.

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

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

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

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

The application utilized in the preparation of this permit was signed by David Welde, Vice-President, Quality Assurance and Compliance. On October 26, 2009, the Air Pollution Control Program was informed that Ed Tilley, Senior Vice-President of Operations, 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 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

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

This permit may be reopened for cause if:

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

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

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

VI. Attachments

Attachments follow.

Attachment C
Opacity Emissions Observations

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

Demonstration of Compliance with 10 CSR 10-4.040, Maximum Allowable Emission of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating

Emission Unit	Emission Unit Description	Fuel Type	PM Emission Factor	PM Emissions (lb/MMBtu)	PM Limit (lb PM/MMBtu)
EU0010 EU0020 EU0030	Boiler #1 Boiler #2 Boiler #3	No. 2	3.3 lb/Mgal	0.02	0.22
EU0010 EU0020 EU0030	Boiler #1 Boiler #2 Boiler #3	No. 6	18.5 lb/Mgal	0.12	0.22
EU0010 EU0020 EU0030	Boiler #1 Boiler #2 Boiler #3	Natural Gas	7.6 lb/MMCF	0.0076	0.22

Total Heat Input for Fuel Burning Equipment, $Q = Q_{\text{Boiler \#1}} + Q_{\text{Boiler \#2}} + Q_{\text{Boiler \#3}}$
 $Q = 66 \text{ MMBtu/hr} + 66 \text{ MMBtu/hr} + 66 \text{ MMBtu/hr}$
 $Q = 198 \text{ MMBtu/hr}$

Maximum allowable emissions for fuel burning equipment having a capacity rating between 10 MMBtu/hr and 10,000 MMBtu/hr shall be determined by using the following equation:

$$E = 1.31(Q)^{-0.338}$$

where Q = the installation heat input in millions of BTU per hour

$$E = 1.31(198)^{-0.338}$$

$$E = 0.22 \text{ lb PM/MMBtu}$$

Heat content of No. 2 Fuel Oil = 140 MMBtu/Mgal

Filterable PM Emission Factor (E_f) for No. 2 Fuel Oil with 1.5% sulfur content (from AP-42 Table 1.3-1, Distillate oil fired (9/98)):

$$E_f = 2 \text{ lbs PM/Mgal}$$

Condensable PM Emission Factor (E_f) for No. 2 Fuel Oil with 1.5% sulfur content (from AP-42 Table 1.3-2 (9/98)):

$$E_f = 1.3 \text{ lbs PM/Mgal}$$

Heat content of No. 6 Fuel Oil = 150 MMBtu/Mgal

Filterable Emission Factor (E_f) for No. 6 Fuel Oil with 1.5% sulfur content (from AP-42 Table 1.3-1 (Errata 4/28/00)):

$$E_f = 9.19(S) + 3.22 = 9.19(1.5) + 3.22 = 17 \text{ lbs PM/Mgal}$$

Condensable PM Emission Factor (E_f) for No. 6 Fuel Oil with 1.5% sulfur content (from AP-42 Table 1.3-2 (9/98)):

$$E_f = 1.5 \text{ lbs PM/Mgal}$$

Heat content of Natural Gas = 1,000 MMBtu/MMCF

Total PM Emission Factor (E_f) for Natural Gas (from AP-42 Table 1.4-2) = 7.6 lb/MMCF

PM Emission Factor = Filterable PM E_f + Condensable PM E_f

PM Emission Rate = Emission Factor (E_f)/Heat Content

Attachment G

Demonstration of Compliance with 10 CSR 10-6.260, *Restriction of Emission of Sulfur Compounds*

Emission Unit	Emission Unit Description	Fuel Type	SO ₂ Emission Factor (lb/Mgal)	SO ₂ Emissions (lb/MMBtu)	SO ₃ Emission Factor (lb/Mgal)	SO ₃ Emissions (lb/MMBtu)	SO _x Emissions (lb/MMBtu)	SO _x Limit (lb/MMBtu)
EU0010 EU0020 EU0030	Boiler #1 Boiler #2 Boiler #3	No. 2	213	1.52	3.0	0.02	1.54	8
EU0010 EU0020 EU0030	Boiler #1 Boiler #2 Boiler #3	No. 6	235.5	1.57	3.0	0.02	1.59	8

Heat content of No. 2 Fuel Oil = 140 MMBtu/Mgal

SO₂ Emission Factor (E_f) for No. 2 Fuel Oil with 1.5% sulfur content (from AP-42 Table 1.3-1, Distillate oil fired (9/98)):

SO₂ E_f = 142 (S) = 142 (1.5) = 213 lbs SO₂/Mgal

SO₃ Emission Factor (E_f) for No. 2 Fuel Oil with 1.5% sulfur content (from AP-42 Table 1.3-1, Distillate oil fired (9/98)):

SO₃ E_f = 2 (S) = 2 (1.5) = 3 lbs SO₃/Mgal

Heat content of No. 6 Fuel Oil = 150 MMBtu/Mgal

SO₂ Emission Factor (E_f) for No. 6 Fuel Oil with 1.5% sulfur content (from AP-42 Table 1.3-1 (9/98)):

E_f = 157 (S) = 157 (1.5) = 235.5 lbs SO₂/Mgal

SO₃ Emission Factor (E_f) for No. 2 Fuel Oil with 1.5% sulfur content (from AP-42 Table 1.3-1 (9/98)):

SO₃ E_f = 2 (S) = 2 (1.5) = 3 lbs SO₃/Mgal

SO₂ Emission Rate = Emission Factor (E_f)/Heat Content

SO₃ Emission Rate = Emission Factor (E_f)/Heat Content

SO_x Emission Rate = SO₂ Emission Rate + SO₃ Emission Rate

STATEMENT OF BASIS

Permit Reference Documents

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

- 1) Part 70 Amendment to the Renewal Operating Permit Application, dated May 25, 2005;
- 2) Part 70 Operating Permit Application, dated April 27, 2005;
- 3) 2008 Emissions Inventory Questionnaire;
- 4) 2007 Emissions Inventory Questionnaire, received May 23, 2008;
- 5) 2006 Emissions Inventory Questionnaire, received May 31, 2007;
- 6) 2005 Emissions Inventory Questionnaire, received March 28, 2006;
- 7) 2004 Emissions Inventory Questionnaire, received April 12, 2005; and
- 8) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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 10-6.080, *Emission Standards for Hazardous Air Pollutants, Subpart M, National Standards for Asbestos*; and

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

The installation is not subject to these regulations unless they undertake any projects that involve any asbestos containing materials.

10 CSR 10-6.100, *Alternate Emission Limits*

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

Emission Units Without Limitations Revision

Two additional emission units were added to the list of emission units without limitations. These are the coffee ground storage and loading operations and the sugar unloading and storage silo. The coffee grounds system takes used coffee grounds, stores the grounds in a tank, and loads grounds into a truck for disposal. The grounds are very wet and the system is controlled by baghouse. The sugar silo is a closed loop system with the sugar being blown into the silo from trucks. The silo is climate-controlled and not open to the atmosphere. Both of these units have been deemed by the Springfield Air Pollution Control Authority to be insignificant sources of air pollution.

Operating Permit Emission Unit Revision

The following revisions were made to previous emission unit identifications listed in the previous operating permit for this installation:

None.

Construction Permit Emission Unit Revision

Springfield Air Pollution Control Authority Permit to Construct No. 0389036D and Springfield Air Pollution Control Authority Permit to Construct No. 0389037D state a de minimis emission limit in gallons of fuel oil no. 6 that could be combusted in two boilers, EU0020 and EU0030 combined, during any consecutive year. The calculation of the limit of 503,145 gallons per calendar year assumed a limit of sulfur content of one (1%) by weight. However, the de minimis emission limit is defined in the Common Reference Tables, 10 CSR 10-6.020(3)(A) as 40 tons of SO_x per year. Therefore, the de minimis emission limit of SO_x for the two boilers combined, is 40 tons of SO_x per year. The emission limit for these two permits shall be referenced as less than 40 tons of SO_x per year, not 503,145 gallons of no. 6 fuel oil.

New Source Performance Standards (NSPS) Applicability

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

NSPS 40 CFR Subpart Dc does not apply to Emission Units EU0010 through EU0030. Boiler #1 was placed in service at the installation in 1980, prior to the applicability date of 40 CFR Subpart Dc. Boiler #2 and boiler #3 were placed in service at the installation per a construction permit in 1989 (start up date for boiler #2 is October 12, 1989; start up date for boiler #3 is January 5, 1990). However, the date of construction/fabrication for the two boilers is 1963, also a date prior to the applicability date of 40 CFR Subpart Dc. In addition, the boilers were not a part of a modification (40 CFR §60.14, modification – an operational change which results in an increase in the emission rate of any criteria pollutant to the atmosphere) or a reconstruction (40 CFR §60.15, reconstruction – the replacement of an existing facility to such an extent that the fixed capital cost of the new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new facility) after June 9, 1989. Therefore, NSPS 40 CFR Subpart Dc, *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units* is not applicable to these boiler units.

NSPS 40 CFR Subpart K, Ka, Kb, various Standards of Performance for Storage Vessels for Petroleum Liquids

The 25,000 gallon Fuel Oil No. 2 Storage Tank was installed in 2004, as a like-kind replacement of a pre-1952 25,000 gallon Fuel Oil No. 2 Storage Tank. The tank is grandfathered from these regulations so long as it continues to be used for the storage of Fuel Oil No. 2, if the contents of the tank should change at any time a reevaluation of applicability will be required and a construction permit will also be necessary.

Maximum Available Control Technology (MACT) Applicability

None.

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.

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.

Other Regulatory Determinations

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

In previous Operating Permits, EU0040 and EU0050 were listed to comply with 10 CSR 10-6.400, *Restriction of Emission of Particulate Matter From Industrial Processes*. However, the emission units are listed as a source of fugitive emissions of PM and have a potential to emit PM emissions below 0.5 lb/hr (see calculation below), therefore, in accordance with 10 CSR 10-6.400 *Restriction of Emission of Particulate Matter From Industrial Processes* (1)(B)7 and (1)(B)11, the provisions of this rule do not apply.

The liquefier/blending processes emission factor was calculated from a mass balance of the maximum percent solids measured from the rotoclone liquid discharge, 3.23% by weight. The rotoclones are designed by the manufacturer for a 98% control efficiency. The manufacturer's representative, Joe Gass of the Waites Company provided curves (contained in PATs no. 1998-08-083) of rotoclone efficiencies that predicted PM₁₀ control at 99% and the manufacturer, American Air Filter (AAF), guarantees 98% control efficiency. The control of PM aerodynamic sizes greater than PM₁₀ is a slightly higher percentage. The installation uses 98% for the control of PM. The relatively high control efficiency is attained using the principle of dynamic precipitation and a water spray system.

Calculation

Rate of powdered product into liquefier	=	2.75 ton/hr, 92 lbs/min
Liquid flow rate from rotoclone	=	1 gal/min
Percent of solids to liquid	=	3.23% by wt.
Control efficiency to rotoclone	=	98%

$[(0.0323 \text{ lb PM/lb water}) \times (8.33 \text{ lb water/1 gal}) \times (1 \text{ gal/min})] = 0.269 \text{ lb PM collected/min}$
 $(0.269 \text{ lb PM collected/min}) / (92 \text{ lb product liquefied/min}) = 0.00292 \text{ lb PM collected/lb product liquefied}$

$\text{PM controlled} = 0.00292 \text{ lb PM/lb product} / 0.98 = 0.00298 \text{ lb PM/lb product liquefied}$

$\text{PM emitted} = 0.00298 \text{ lb PM/lb product liquefied} \times 0.02 = 0.00006 \text{ lb PM/lb product liquefied}$
 $= 0.12 \text{ lb/ton of product liquefied}$
Or $(2.75 \text{ ton/hr}) \times (0.12 \text{ lb/ton of product liquefied})$
 $= 0.33 \text{ lb/hr}$

10 CSR 10-4.040, *Maximum Allowable Emission of Particulate Matter From Fuel Burning Equipment Used for Indirect Heating*

Since the maximum particulate matter emission rates from the emission units are less than the allowable emission rates under the regulations, the respective emission units will be in compliance. Therefore, no monitoring, record keeping, or reporting requirements are included in the operating permit other than maintaining the calculations indicating compliance in Attachment E.

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

The installation will be in compliance with this regulation when limited to combusting pipeline grade natural gas, and/or no. 6 fuel oil, and/or no. 2 fuel oil with a limit of 1.5% sulfur by weight. Sulfur emissions from the combustion of pipeline grade natural gas is minimal. The emissions will always be in compliance with all sections of 10 CSR 10-6.260.

As part of the Title V permitting process for Operating Permit Number OP2000104, a Screen3 model was computed for the installation for no. 6 fuel oil. The model was used as a screening tool by the Air Pollution Control Program to show compliance with the sulfur NAAQS requirement in 10 CSR 10-6.260(4). The screening tool was only used to model one boiler burning no. 6 fuel oil because only one boiler is outfitted to burn no. 6 fuel oil at the installation. The results of the Screen3 model showed that while combusting fuel oil no. 6, the Screen3 model showed a concentration of $72 \mu\text{g}/\text{m}^3$, $358 \mu\text{g}/\text{m}^3$, and $807 \mu\text{g}/\text{m}^3$ for the annual arithmetic mean, the 24-hour average, and the 3-hour average, respectively. The National Ambient Air Quality Standard (NAAQS) referenced in 10 CSR 10-6.260(4) for SO_x at the property boundary is $80 \mu\text{g}/\text{m}^3$, $365 \mu\text{g}/\text{m}^3$, and $1300 \mu\text{g}/\text{m}^3$, respectively. The Screen3 model is usually considered conservative and the modeling indicated compliance to 10 CSR 10-6.260(4).

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

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

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

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

Prepared by: Jennifer L. Webb of Barr Engineering
Reviewed by:.

Alana L. Rugen
Environmental Engineer

CERTIFIED MAIL: 70073020000315699828
RETURN RECEIPT REQUESTED

Mr. David Welde
Dairy Farmers of America, Inc.
PO Box 1837
Springfield, MO 65801-1837

Re: Dairy Farmers of America, Inc., 077-0036
Permit Number: **OP2010-022**

Dear Mr. Welde:

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

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.075.6 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed. If it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the AHC.

If you have any questions or need additional information regarding this permit, please do not hesitate to contact Alana Rugen at the Departments' Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102, or by telephone at (573) 751-4817. Thank you for your time and attention to this matter.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:ark

Enclosures

c: Ms. Tamara Freeman, US EPA Region VII
Southwest Regional Office
PAMS File: 2005-05-018