



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

# 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:** OP2016-015  
**Expiration Date:** SEP 06 2021  
**Installation ID:** 187-0054  
**Project Number:** 2013-07-071

**Installation Name and Address**

Lead Belt Materials Co., Inc.  
 6649 Old Bonne Terre Road  
 Bonne Terre, MO 63628  
 St. Francois County

**Parent Company's Name and Address**

Lead Belt Materials Co., Inc.  
 PO Box 607  
 Park Hills, MO 63601

**Installation Description:**

Lead Belt Materials produces crushed limestone and asphaltic concrete by operating three plants at this site: the Boliden-Allis rock-crushing plant, the Eagle rock-crushing plant and an asphalt plant.

Lead Belt Materials has a potential to emit above major levels for Particulate Matter less than ten microns in diameter (PM<sub>10</sub>), Carbon Monoxide (CO), and Nitrogen Oxides (NO<sub>x</sub>). The permittee has accepted voluntary limitations on PM<sub>10</sub>, NO<sub>x</sub>, and CO to obtain this Intermediate Operating Permit. It is subject to 40 CFR 60 Subpart I Standards of Performance for Hot Mix Asphalt Facilities, Subpart OOO Standards of Performance for Nonmetallic Mineral Processing Plants, 40 CFR Part 63, Subpart ZZZZ National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. This is a named installation.

Prepared by:  
 Michael J. Stansfield  
 Operating Permit Unit

Director or Designee  
 Department of Natural Resources

**SEP 06 2016**

Effective Date

## Table of Contents

|  |           |
|--|-----------|
| <b>I. INSTALLATION DESCRIPTION AND EQUIPMENT LISTING.....</b>  | <b>4</b>  |
| INSTALLATION DESCRIPTION.....  | 4         |
| EMISSION UNITS WITH LIMITATIONS .....  | 4         |
| EMISSION UNITS WITHOUT LIMITATIONS .....   | 7         |
| <b>II. INSTALLATION WIDE AND PLANT EMISSION LIMITATIONS.....</b>   | <b>8</b>  |
| PERMIT CONDITION 1.....  | 8         |
| Installation Wide.....   | 8         |
| 10 CSR 10-6.020(2)(I)23. and 10 CSR 10-6.065(5)(C)2. Voluntary Limitation(s).....  | 8         |
| PERMIT CONDITION 2.....  | 9         |
| Installation Wide.....   | 9         |
| 10 CSR 10-6.060 Construction Permits Required.....   | 9         |
| Construction Permit #102005-012A, Issued November 19, 2007.....  | 9         |
| Construction Permit #102005-013A, Issued November 19, 2007.....  | 9         |
| Construction Permit #102005-014A, Issued November 19, 2007.....  | 9         |
| PERMIT CONDITION 3.....  | 10        |
| Bolden Allis Rock-Crushing Plant.....  | 10        |
| 10 CSR 10-6.060 Construction Permits Required.....   | 10        |
| Construction Permit #102005-012A, Issued October 19, 2005.....   | 10        |
| PERMIT CONDITION 4.....  | 11        |
| Asphalt Plant.....   | 11        |
| 10 CSR 10-6.060 Construction Permits Required.....   | 11        |
| Construction Permit #102005-013A, Issued October 19, 2005.....   | 11        |
| PERMIT CONDITION 5.....  | 11        |
| Eagle Rock-crushing Plant.....   | 11        |
| 10 CSR 10-6.060 Construction Permits Required.....   | 11        |
| Construction Permit #102005-014A, Issued October 19, 2005.....   | 11        |
| <b>III. EMISSION UNIT SPECIFIC EMISSION LIMITATIONS .....</b>  | <b>12</b> |
| PERMIT CONDITION 6.....  | 12        |
| 10 CSR 10-6.060 Construction Permits Required.....   | 12        |
| Construction Permit #102005-013A, Issued October 19, 2005.....   | 12        |
| PERMIT CONDITION 7.....  | 13        |
| 10 CSR 10-6.070 New Source Performance Regulations .....   | 13        |
| 40 CFR Part 60, Subpart A General Provisions and Subpart I, Standards of Performance for Hot Mix Asphalt Facilities.....                             | 13        |
| PERMIT CONDITION 8.....  | 14        |
| 10 CSR 10-6.070 New Source Performance Regulations .....   | 14        |
| 40 CFR part 60 Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants .....   | 14        |
| PERMIT CONDITION 9.....  | 19        |
| 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations .....  | 19        |
| 40 CFR Part 63, Subpart ZZZZ – National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines..... | 19        |
| PERMIT CONDITION 10.....   | 22        |
| 10 CSR 10-6.220, Restriction of Emissions of Visible Air Contaminants.....   | 22        |
| PERMIT CONDITION 12.....   | 24        |
| 10 CSR 10-6.260 .....  | 24        |
| Restriction of Emission of Sulfur Compounds.....   | 24        |
| <b>IV. CORE PERMIT REQUIREMENTS .....</b>  | <b>25</b> |
| <b>V. GENERAL PERMIT REQUIREMENTS .....</b>  | <b>31</b> |
| <b>VI. ATTACHMENTS .....</b>   | <b>35</b> |

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|   |    |
|---|----|
| ATTACHMENT A .....  | 36 |
| ATTACHMENT B .....  | 37 |
| ATTACHMENT C .....  | 38 |
| ATTACHMENT REPLACEMENT A .....  | 39 |
| Best Management Practices (BMPs)- Construction Industry Fugitive Emissions..... | 39 |
| ATTACHMENT E .....  | 42 |
| Daily Ambient PM <sub>10</sub> Impact Tracking Record.....                      | 42 |
| ATTACHMENT F .....  | 43 |
| Daily Ambient PM <sub>10</sub> Impact Tracking Record.....                      | 43 |
| ATTACHMENT G.....   | 44 |
| Monthly PM <sub>10</sub> Emissions Tracking Record .....                        | 44 |
| Boliden Allis Rock-Crushing Plant.....  | 44 |
| ATTACHMENT H.....   | 45 |
| Monthly PM <sub>10</sub> Emissions Tracking Record .....                        | 45 |
| Asphalt Plant.....  | 45 |
| ATTACHMENT I .....  | 46 |
| Monthly PM <sub>10</sub> Emissions Tracking Record .....                        | 46 |
| Eagle Rock Crushing Plant .....   | 46 |
| ATTACHMENT J .....  | 47 |
| Opacity Emission Observations .....   | 47 |
| ATTACHMENT K.....   | 48 |
| Inspection/Maintenance/Repair/Malfunction Log.....                              | 48 |
| ATTACHMENT L .....  | 49 |
| Method 9 Opacity Emissions Observations .....                                   | 49 |

# I. Installation Description and Equipment Listing

## INSTALLATION DESCRIPTION

Lead Belt Materials produces crushed limestone and asphaltic concrete by operating three plants at this site: the Boliden-Allis rock crushing plant, the Eagle rock crushing plant and an asphalt plant.

Lead Belt Materials has a potential to emit above major levels for Particulate Matter less than 10 microns in diameter (PM<sub>10</sub>). The permittee has accepted a voluntary limitation on PM<sub>10</sub>, NO<sub>x</sub>, and CO to obtain this Intermediate Operating Permit and is subject to 40 CFR 60 Subpart I Standards of Performance for Hot Mix Asphalt Facilities, Subpart OOO Standards of Performance for Nonmetallic Mineral Processing Plants, and 40 CFR Part 63, Subpart ZZZZ National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

| <b>Reported Air Pollutant Emissions, tons per year</b>   |      |      |      |      |      |
|--|------|------|------|------|------|
| Pollutants   | 2013 | 2012 | 2011 | 2010 | 2009 |
| Particulate Matter<br>≤ Ten Microns (PM <sub>10</sub> )  | 1.82 | 3.87 | 3.87 | 4.62 | 4.62 |
| Particulate Matter<br>≤ 2.5 Microns (PM <sub>2.5</sub> ) | 1.09 | 0.90 | 0.35 | 0.56 | 0.56 |
| Sulfur Oxides<br>(SO <sub>x</sub> )                      | 0.26 | 2.84 | 2.84 | 2.23 | 2.23 |
| Nitrogen Oxides<br>(NO <sub>x</sub> )                    | 3.22 | 5.47 | 5.47 | 6.75 | 6.75 |
| Volatile Organic<br>Compounds(VOC)                       | 1.21 | 1.70 | 1.70 | 1.45 | 1.45 |
| Carbon Monoxide<br>(CO)                                  | 4.66 | 6.58 | 6.58 | 5.34 | 5.34 |
| Lead<br>(Pb)   | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Hazardous Air Pollutants<br>(HAPs)                       | 0.00 | 0.01 | 0.01 | 0.00 | 0.00 |
| Ammonia (NH <sub>3</sub> )                               | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

## EMISSION UNITS WITH LIMITATIONS

The following list provides a description of the equipment at this installation which emits air pollutants and identified as having unit-specific emission limitations. These emissions sources are subject to the plant wide emission limitations in Section II of this permit.

| Asphalt Plant      |  |
|--------------------|--|
| 2013 EIQ Reference | Unit Description   |
| EP-01D             | Aggregate Storage Pile, 141 tons/hr, 3 acres   |
| EP-02D             | Cold Bins & 4 conveyors, Homemade, Constructed 1997, MHDR 141 tons/hr (each bin/conveyor set)                          |
| EP-03D             | Asphalt Plant Dryer, with a waste oil-fired burner 37.8 MMBtu/hr, Gencor Ultradrum, Constructed 1997, MHDR 150 tons/hr |
| EP-08D             | Hot Asphalt Silo, Gencor, Constructed 1997, MHDR 150 tons/hr   |
| EP-09D             | Hot Asphalt Loadout, Gencor, Constructed 1997, MHDR 150 tons/hr  |
| EP-04D             | Asphalt Oil Heater, Hy-way, Model# Hycgo-100, Constructed 1997, MHDR 1.3 MMBtu/hr, #2 Fuel Oil fired                   |
| EP-10D             | Mineral Filler Silo, Constructed 1997, MHDR 0.75 tons/hr   |
| EP-05D             | Asphalt Storage Tank, Horizontal Fixed Roof; 25,000 gallon capacity  |

| Boliden Allis Rock-Crushing Plant |  |
|-----------------------------------|--|
| 2013 EIQ Reference                | Unit Description   |
| EP-06C                            | Secondary Impact Crusher, Universal Impactor II model 130/150; S/N 619x178, Constructed 1992, MHDR 216 tons/hr |
| EP-05C                            | Scalping Screen, ABCO, S/N E34810-20 4'x10' single-deck, Constructed 1979, MHDR 180 tons/hr                    |
| EP-04C                            | Conveyor, Pioneer, Constructed pre-1960, MHDR 180 tons/hr  |
| EP-07C                            | Conveyor, Hewett Robbins, Constructed pre-1970, MHDR 216 tons/hr   |
| EP-09C                            | Conveyor, Pioneer, Constructed pre-1960, MHDR 100 tons/hr  |
| EP-16C                            | Conveyor, Homemade, Constructed pre-1980, MHDR 36 tons/hr  |
| EP-17C                            | Conveyor, Pioneer, Constructed pre-1960, MHDR 36 tons/hr   |
| EP-21C                            | Conveyor, Homemade, Constructed pre-1980, MHDR 36 tons/hr  |
| EP-03C                            | Primary Crusher, Boliden-Allis, model #3042 S/N:C53961, Constructed 1987, MHDR 180 tons/hr                     |
| EP-08C                            | Screen, 5'x16', Cedarapids, S/N: 40916, Constructed 1987, MHDR 252 tons/hr                                     |
| EP-19C                            | Conveyor, Grace, S/N: 9608252, Constructed 1996, MHDR 100 tons/hr  |
| EP-20C                            | Conveyor, PEP, S/N: 961147, Constructed 1996, MHDR 100 tons/hr   |

| Eagle Rock-Crushing Plant |  |
|---------------------------|--|
| 2013 EIQ Reference        | Unit Description   |
| EP-07G1                   | Crusher Engine, MHDR 0.25 MMBtu/hr, Constructed 2005, #2 Fuel Oil fired  |
| EP-04G                    | Screen, 6'x20', Cedarapids, Model # TOSH 6203-32, S/N: 53116, Constructed 2005, MHDR 450 tons/hr                                 |
| EP-06G                    | Vibrating Grizzly Feeder, 57"x18', Eagle, S/N: 30186, Constructed 2005, MHDR 350 tons/hr   |
| EP-02G                    | Secondary Impact Crusher, Eagle, model # 1400-45OC, S/N: 30187 (crusher) 30186 (plant frame), Constructed 2005, MHDR 350 tons/hr |
| EP-03G1                   | Conveyor, Superior S/N: 6126, Constructed 2005, MHDR 450 tons/hr   |
| EP-03G2                   | Conveyor, Eagle, S/N: 30209, Constructed 2005, MHDR 100 tons/hr  |
| EP-03G3                   | Conveyor, Cedarapids, S/N: 25654 (plant frame), Constructed 2005, MHDR 150 tons/hr   |
| EP-03G4                   | Conveyor, Cedarapids, S/N: 25654 (plant frame), Constructed 2005, MHDR 150 tons/hr   |
| EP-03G5                   | Conveyor, Eagle, S/N: 30207, Constructed 2005, MHDR 150 tons/hr  |
| EP-03G6                   | Conveyor, Eagle, S/N: 30206, Constructed 2005, MHDR 150 tons/hr  |
| EP-03G7                   | Conveyor, Eagle, S/N: 30208, Constructed 2005, MHDR 150 tons/hr  |
| EP-03G8                   | Conveyor, Eagle, S/N: 30188, Constructed 2005, MHDR 450 tons/hr  |
| EP-03G9                   | Conveyor, Cedarapids, S/N: 25654 (plant frame), Constructed 2005, MHDR 150 tons/hr   |
| EP-07G                    | Generator Engine, Cummins, Constructed 2005, 510 Hp, MHDR 1.297 MMBtu/hr, #2 Fuel Oil fired                                      |
| EP-01F                    | Secondary Impact Crusher, Eagle, Model # UM04, S/N: 22459 (crusher), 22460 (plant frame), Constructed 2003, MHDR 100 tons/hr     |
| EP-02F                    | Conveyor, Eagle, S/N: 22460 (plant frame), Constructed 2003, MHDR 100 tons/hr  |
| EP-03F                    | Conveyor, Eagle, S/N: 3098, Constructed 1999, MHDR 100 tons/hr   |

**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. These emissions sources are subject to the plant wide emission limitations in Section II of this permit.

| 2013 EIQ Reference | Unit Description   |
|--------------------|--|
| EP-01C             | drilling   |
| EP-05G             | Haul road from pit to eagle plant, 3.038 VMT/hr                      |
| EP-06D             | Haul Aggregate from crushing plant to the asphalt Plant, 2.35 VMT/hr |
| EP-07D             | Haul Road for Asphalt Plant Customers, 10 VMT/hr -                   |
| EP-08G             | Eagle plant customer haul road, 7.79 VMT/hr                          |
| EP-09G             | Limestone Stockpile, 350 tons/hr, 1 acre                             |
| EP-11C             | Limestone Stockpile, 180 tons/hr, 3 acres                            |
| EP-15C             | Boliden Allis Plant Customer Haul Road, 12.518 VMT/hr                |
| EP-22C             | Haul from the Pit to the Boliden Allis Plant, 3.0VMT/hr              |
| EP-23C             | Haul from the Boliden Allis Plant to stockpiles, 1.44 VMT/hr-        |
| EP-24C             | Truck unload to feeder   |

## II. Installation Wide and Plant 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. The installation wide conditions apply to all emission units at this installation. All emission units are listed in Section I under Emission Units with Limitations or Emission Units without Limitations.

### PERMIT CONDITION 1

Installation Wide

10 CSR 10-6.020(2)(I)23. and 10 CSR 10-6.065(5)(C)2. Voluntary Limitation(s)

#### **Emission Limitation:**

- 1) The permittee shall emit less than 100 tons of particulate matter less than 10 microns (PM<sub>10</sub>) in any consecutive twelve month period.
- 2) The permittee shall emit less than 100 tons of nitrogen oxides (NO<sub>x</sub>) in any consecutive twelve month period.
- 3) The permittee shall emit less than 100 tons of carbon monoxide (CO) in any consecutive twelve month period.

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

- 1) The permittee shall maintain an accurate record of emission of PM<sub>10</sub> into the atmosphere from the entire installation, including monthly and running twelve-month totals of PM<sub>10</sub> emissions. The permittee shall use Attachment A, G, H, and I, or an equivalent form, for this purpose.
- 2) The permittee shall maintain an accurate record of emission of NO<sub>x</sub> into the atmosphere from the entire installation, including monthly and running twelve-month totals of NO<sub>x</sub> emissions. The permittee shall use Attachment B or an equivalent form, for this purpose.
- 3) The permittee shall maintain an accurate record of emission of CO into the atmosphere from the entire installation, including monthly and running twelve-month totals of CO emissions. The permittee shall use Attachment C or an equivalent form, for this purpose.
- 4) The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request.

#### **Reporting:**

- 1) The permittee shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than 10 days after the end of the month, if records indicate any exceedances of the limitations imposed by this permit.
- 2) The permittee shall report any deviations from the requirements of this permit condition in the report and annual compliance certification required by Section V of this permit.

## PERMIT CONDITION 2

### Installation Wide

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

Construction Permit #102005-012A, Issued November 19, 2007

Construction Permit #102005-013A, Issued November 19, 2007

Construction Permit #102005-014A, Issued November 19, 2007

**This requirement is not federally enforceable and is a state only requirement.**

### Emission Limitation:

- 1) The permittee shall ensure, while operating at this site, that the ambient impact of PM<sub>10</sub> at or beyond the nearest property boundary does not exceed 150 µg/m<sup>3</sup> in any 24-hour period, in accordance with the Federal NAAQS requirements (40 CFR 50.6). {Special Condition no. 2.A. of #102005-012A, #102005-013A, and #102005-014A}

### Operational Limitation:

- 1) The permittee shall control fugitive emissions from all of the haul roads and stockpiles at this site by performing Best Management Practices, which include the use of paving, chemical dust suppressants, or documented watering, as detailed in Attachment D. {Special Condition no. 1 of #102005-012A, #102005-013A, and #102005-014A}
- 2) The permittee is permitted to operate under the following scenarios:
  - *Solitary (Attachment E)* – Operations when the plant is located at this site by itself. The plant must track its own daily PM<sub>10</sub> ambient impact to ensure compliance with NAAQS.
  - *Concurrent, Same Owners (Attachment E)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by Lead Belt Materials are located at this site. The plant shall track the daily PM<sub>10</sub> ambient impact of all plants at the site to ensure compliance with NAAQS.
  - *Concurrent, Separate Owners (Attachment F)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by other companies are located at this site. The ambient impact of all plants not owned by Lead Belt Materials must be limited to no more than 90.0 µg/m<sup>3</sup> of PM<sub>10</sub> in any 24-hour period.
  - *Concurrent, Same and Separate Owners (Attachment F)* – Operations when other asphalt, concrete, rock-crushing, or rock-screening plants owned by other companies are located at this site at the same time as such plants owned by Lead Belt Materials. The plant shall track the daily PM<sub>10</sub> ambient impact of all of Lead Belt Materials' plants at the site to ensure compliance with NAAQS. The total ambient impact of all plants not owned by Lead Belt Materials must be limited to no more than 90.0 µg/m<sup>3</sup> of PM<sub>10</sub> in any 24-hour period. {Special Condition no. 2.B. of #102005-012A, #102005-013A, and #102005-014A}
- 3) The permittee shall power the plant using primary electrical power. If the plant decides to switch to diesel engine(s), a new construction permit review will be required. {Special Condition no. 7 of #102005-012A, Special Condition no. 8 of #102005-013A, and Special Condition no. 4 of #102005-014A}

### Recordkeeping:

- 1) To demonstrate compliance, the permittee shall maintain a daily record of material processed. Attachments E and F, *Daily Ambient PM<sub>10</sub> Impact Tracking Record*, or other equivalent forms,

will be used for this purpose. {Special Condition no. 2.C. of #102005-012A, #102005-013A, and #102005-014A}

- 2) The permittee shall maintain all records required by this permit for not less than five (5) years and shall make them available to any Missouri Department of Natural Resources personnel upon request. {Special Condition no. 8 of #102005-012A, Special Condition no. 9 of #102005-013A, and Special Condition no. 7 of #102005-014A}

**Reporting:**

- 1) The operators shall report to the Air Pollution Control Program Enforcement Section, PO Box 176, Jefferson City, MO 65102 no later than ten (10) days after any exceedances of the limitations imposed by this permit. {Special Condition no. 9 of #102005-012A, Special Condition no. 10 of #102005-013A, and Special Condition no. 8 of #102005-014A}
- 2) The permittee shall report any deviations from the requirements of this permit condition in the report and annual compliance certification required by Section V of this permit.

**PERMIT CONDITION 3**

Bolden Allis Rock-Crushing Plant  
10 CSR 10-6.060 Construction Permits Required  
Construction Permit #102005-012A, Issued October 19, 2005

**Emission Limitation:**

The permittee shall ensure that the Bolden Allis Rock-Crushing plant emits less than 50 tons of PM<sub>10</sub> into the atmosphere in any consecutive 12-month period. {Special Condition no. 3 of #102005-012A}

**Operational Limitation:**

The maximum hourly design rate of the Bolden Allis Rock-Crushing Plant is equal to that of the primary emission point, which has been designated by the permittee as the primary crusher (EP-03C). The primary emission point shall not be bypassed for processing. {Special Condition no. 5 of #102005-012A}

**Monitoring/Recordkeeping:**

- 1) The permittee shall maintain an accurate record of emission of PM<sub>10</sub> into the atmosphere from the entire installation, including monthly and running twelve-month totals of PM<sub>10</sub> emissions. The permittee shall use Attachment G or an equivalent form, for this purpose. {Special Condition no. 3 of #102005-012A}
- 2) The permittee shall maintain all records required by this permit for not less than five years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request.

**Reporting:**

- 1) The permittee shall report to the Air Pollution Control Program Enforcement Section, PO Box 176, Jefferson City, MO 65102 no later than ten (10) days after any exceedances of the limitations imposed by this permit. {Special Condition no. 9 of #102005-012A}
- 2) The permittee shall report any deviations from the requirements of this permit condition in the report and annual compliance certification required by Section V of this permit.

**PERMIT CONDITION 4**

Asphalt Plant

10 CSR 10-6.060 Construction Permits Required  
Construction Permit #102005-013A, Issued October 19, 2005

**Emission Limitation:**

The permittee shall ensure that the asphalt plant emits less than 50 tons of PM<sub>10</sub> into the atmosphere in any consecutive 12-month period. {Special Condition no. 3.A of #102005-013A}

**Monitoring/Recordkeeping:**

To demonstrate compliance, the permittee shall maintain a monthly record of material processed and PM<sub>10</sub> emissions. Attachment H, *Monthly PM<sub>10</sub> Emissions Tracking Record*, or other equivalent form(s) shall be used for this purpose. {Special Condition no. 3.B of #102005-013A}

**Reporting:**

- 1) The operators shall report to the Air Pollution Control Program Enforcement Section, PO Box 176, Jefferson City, MO 65102 no later than ten (10) days after any exceedances of the limitations imposed by this permit. { Special Condition no. 10 of #102005-013A }
- 2) The permittee shall report any deviations from the requirements of this permit condition in the report and annual compliance certification required by Section V of this permit.

**PERMIT CONDITION 5**

Eagle Rock-crushing Plant

10 CSR 10-6.060 Construction Permits Required  
Construction Permit #102005-014A, Issued October 19, 2005

**Operational Limitation:**

The maximum hourly design rate of the plant is equal to that of the primary emission point, which has been designated by Lead Belt Materials Co. as the primary crusher (EP-02G). The primary emission point shall not be bypassed for processing. {Special Condition no. 5 of #102005-014A}

### 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.

| <b>PERMIT CONDITION 6</b>  |  |
|--|--|
| 10 CSR 10-6.060 Construction Permits Required<br>Construction Permit #102005-013A, Issued October 19, 2005 |  |
| <b>2013 EIQ Reference</b>  | <b>Description</b>   |
| EP-03D   | Asphalt Plant Dryer, 150 tons/hr, with a waste oil-fired burner rated at 37.8 MMBtu/hr, Gencor Ultradrums Model UF2-70; S/N UFE-1996, installed 1997, Uses baghouse (CD2) as control device. |

**Operation Limitation and Requirements:**

- 1) Baghouse Control System Requirements
  - a) The permittee shall install and operate baghouse(s) to restrict the emission of particulate matter. The baghouse(s) must be used whenever the drum dryer (EP-03D) is in operation. {Special Condition no. 5.A of #102005-013A}
  - b) The permittee shall install instruments to monitor the operating pressure drop across the baghouse. All instruments and control equipment shall be calibrated, maintained and operated according to the manufacturer’s preventative maintenance recommendations. The operator(s) shall check and record the pressure drop across the baghouse filter once per operating during drum dryer operation. The baghouse operating pressure drop shall be maintained according to manufacturer’s specifications. {Special Condition no. 5.B of #102005-013A}
  - c) The operator(s) shall conduct and document a quarterly inspection and maintenance of the baghouse for structural component failures, leaks and wear, and for the cleaning sequence of the baghouse. Replacement bags shall be kept on site at all times to replace defective bags. The bags shall be made of fibers appropriate for the operating conditions expected to occur. All inspections, corrective actions, and instrument calibrations shall be recorded. {Special Condition no. 5.C of #102005-013A}

**Monitoring/Recordkeeping:**

- 1) The permittee shall monitor and record the operating pressure drop across the baghouse at least once every 24 hours. The operating pressure drop shall be maintained within the design conditions specified by the manufacturer's performance warranty and performance test.
- 2) The permittee shall maintain an operating and maintenance log for the baghouse which shall include the following:
  - a) Incidents of malfunction, with impact on emissions, duration of event, probable cause, and corrective actions; and
  - b) Maintenance activities, with inspection schedule, repair actions, and replacements, etc.
- 3) The permittee shall maintain a copy of all records for at least five years and shall make them available to Department of Natural Resources’ personnel upon request.

**Reporting:**

- 1) The operators shall report to the Air Pollution Control Program Enforcement Section, PO Box 176, Jefferson City, MO 65102 no later than ten (10) days after any exceedances of the limitations imposed by this permit. { Special Condition no. 10 of #102005-013A }
- 2) The permittee shall report any deviations from the requirements of this permit condition in the report and annual compliance certification required by Section V of this permit.

| <b>PERMIT CONDITION 7</b>   |   |
|---|---|
| 10 CSR 10-6.070 New Source Performance Regulations  |   |
| 40 CFR Part 60, Subpart A General Provisions and Subpart I, Standards of Performance for Hot Mix Asphalt Facilities |   |
| 2013 EIQ Reference  | Description   |
| EP-01D  | Aggregate Storage Pile, 141 tons/hr, 3 acres  |
| EP-02D  | Cold Bins & 4 conveyors, Constructed 1997, MHDR 141 tons/hr (each bin/conveyor set)   |
| EP-08D  | Hot Asphalt Silo, Gencor, Constructed 1997, MHDR 150 tons/hr  |
| EP-09D  | Hot Asphalt Loadout, Gencor, Constructed 1997, MHDR 150 tons/hr   |
| EP-10D  | Mineral Filler Silo, Constructed 1997, MHDR 0.75 tons/hr  |
| EP-05D  | Asphalt Storage Tank, Horizontal Fixed Roof; 25,000 gallon capacity   |
| EP-03D  | Asphalt Plant Dryer, 150 tons/hr, with a waste oil-fired burner rated at 37.8 MMBtu/hr, Gencor Ultradrum Model UF2-70; S/N UFE-1996, installed 1997 |

**Emission Limitation:**

- 1) The permittee shall not discharge or cause the discharge into the atmosphere from any affected facility any gases which: [§60.92(a)]
  - a) Contain PM in excess of 90 mg/dscm (0.04 gr/dscf). [§60.92(a)(1)]
  - b) Exhibit 20 percent opacity, or greater. [§60.92(a)(2)]

**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) Observations must be made at least once per month.
- 3) Anytime an exceedance of the opacity limitation is noted, then the permittee shall conduct weekly observations for a minimum of eight (8) consecutive weeks.
  - a) Should the permittee observe no opacity deviations for the eight (8) consecutive weeks period noted in 3) above, then the permittee may reduce the observation frequency to once every two (2) weeks for a period of eight (8) weeks.
  - b) Should no opacity deviations be observed during this eight (8) week period [3)a) above], then the permittee may return to the once per month observation frequency.

**Recordkeeping:**

The permittee shall maintain records of all Method 22 observation results using Attachment B and Method 9 observation results using Attachment C (or their equivalent), 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.
- 6) The permittee shall retain records of their most recent performance tests.
- 7) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
- 8) The permittee shall report any deviations from the requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

| <b>PERMIT CONDITION 8</b>  |  |
|--|--|
| 10 CSR 10-6.070 New Source Performance Regulations   |  |
| 40 CFR part 60 Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants |  |
| <b>2013 EIQ Reference</b>  | <b>Description</b>   |
| EP-06C   | Secondary Impact Crusher, Universal Impactor II model 130/150; S/N 619x178, Constructed 1992, MHDR 216 tons/hr                   |
| EP-03C   | Primary Crusher, Boliden-Allis, model #3042 S/N:C53961, Constructed 1987, MHDR 180 tons/hr                                       |
| EP-08C   | Screen, 5'x16', Cedarapids, S/N: 40916, Constructed 1987, MHDR 252 tons/hr   |
| EP-19C   | Conveyor, Grace, S/N: 9608252, Constructed 1996, MHDR 100 tons/hr  |
| EP-20C   | Conveyor, PEP, S/N: 961147, Constructed 1996, MHDR 100 tons/hr   |
| EP-02G   | Secondary Impact Crusher, Eagle, model # 1400-45OC, S/N: 30187 (crusher) 30186 (plant frame), Constructed 2005, MHDR 350 tons/hr |
| EP-04G   | Screen, 6'x20', Cedarapids, Model # TOSH 6203-32, S/N: 53116, Constructed 2005, MHDR 450 tons/hr                                 |
| EP-06G   | Vibrating Grizzly Feeder, 57"x18', Eagle, S/N: 30186, Constructed 2005, MHDR 350 tons/hr   |
| EP-03G1  | Conveyor, Superior S/N: 6126, Constructed 2005, MHDR 450 tons/hr   |
| EP-03G2  | Conveyor, Eagle, S/N: 30209, Constructed 2005, MHDR 100 tons/hr  |
| EP-03G3  | Conveyor, Cedarapids, S/N: 25654 (plant frame), Constructed 2005, MHDR 150 tons/hr   |
| EP-03G4  | Conveyor, Cedarapids, S/N: 25654 (plant frame), Constructed 2005, MHDR 150 tons/hr   |
| EP-03G5  | Conveyor, Eagle, S/N: 30207, Constructed 2005, MHDR 150 tons/hr  |
| EP-03G6  | Conveyor, Eagle, S/N: 30206, Constructed 2005, MHDR 150 tons/hr  |
| EP-03G7  | Conveyor, Eagle, S/N: 30208, Constructed 2005, MHDR 150 tons/hr  |
| EP-03G8  | Conveyor, Eagle, S/N: 30188, Constructed 2005, MHDR 450 tons/hr  |
| EP-03G9  | Conveyor, Cedarapids, S/N: 25654 (plant frame), Constructed 2005, MHDR 150 tons/hr   |
| EP-01F   | Secondary Impact Crusher, Eagle, Model # UM04, S/N: 22459 (crusher), 22460 (plant frame), Constructed 2003, MHDR 100 tons/hr     |
| EP-02F   | Conveyor, Eagle, S/N: 22460 (plant frame), Constructed 2003, MHDR 100 tons/hr  |
| EP-03F   | Conveyor, Eagle, S/N: 3098, Constructed 1999, MHDR 100 tons/hr   |

**Emission Limitation:**

- 1) The permittee shall not cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility stack emissions which: (§60.672(a))
  - a) Contain particulate matter in excess of 0.05 g/dscm (0.022 gr/dscf); and (§60 Subpart OOO Table 2)
  - b) Exhibit greater than 7% opacity. (§60 Subpart OOO Table 2)
- 2) The permittee shall not cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10% opacity, and for crushers at which a capture system is not used shall not cause to be discharged any fugitive emissions which exhibit greater than 15% opacity. (§60.672 (b) and Table 3)
- 3) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section. (§60.672(d))
- 4) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in §60.672(a), and (b) of this section, or the building enclosing the affected facility or facilities must comply with the following emission limits: (§60.672(e))
  - a) Fugitive emissions from the building openings (except for vents as defined in §60.671) must not exceed 7 percent opacity; (§60.672(e)(1)) and
  - b) Vents (as defined in §60.671) in the building must meet the applicable stack emission limits and compliance requirements in Table 2 of this subpart. (§60.672(e)(2))

**Monitoring:**

- 1) Any affected facility for which construction, modification, or reconstruction commenced on or after April 22, 2008, that uses wet suppression to control emissions from the affected facility shall perform monthly periodic inspections to check that water is flowing to discharge spray nozzles in the wet suppression system. The permittee shall initiate corrective action within 24 hours and complete corrective action as expeditiously as practical if the permittee finds that water is not flowing properly during an inspection of the water spray nozzles. The permittee shall record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken, in the logbook required under §60.676(b). [§60.674(b)]
  - a) If an affected facility relies on water carryover from upstream water sprays to control fugitive emissions, then that affected facility is exempt from the five-year repeat testing requirement specified in Table 3 of this subpart provided that the affected facility meets the following criteria: [§60.674(b)(1)]
    - i) The permittee conducts periodic inspections of the upstream water spray(s) that are responsible for controlling fugitive emissions from the affected facility. These inspections are conducted according to Paragraph (b) of this section and §60.676(b), and [§60.674(b)(1)(i)]
    - ii) The permittee designates which upstream water spray(s) shall be periodically inspected at the time of the initial performance test required under §60.11 of this part and §60.675 of this subpart. [§60.674(b)(1)(ii)]
  - b) If an affected facility that routinely uses wet suppression water sprays ceases operation of the water sprays or is using a control mechanism to reduce fugitive emissions other than water sprays during the monthly inspection (for example, water from recent rainfall), the logbook entry required under §60.676(b) shall specify the control mechanism being used instead of the water sprays. [§60.674(b)(2)]

**Test Methods/Procedures:**

- 1) In conducting the performance tests required in §60.8, the permittee shall use as reference methods and procedures the test methods in appendices A–1 through A–7 of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). Acceptable alternative methods and procedures are given in Paragraph (e) of this section. [§60.675(a)]
- 2) The permittee shall determine compliance with the PM standards in §60.672(a) as follows: [§60.675(b)]
  - a) Except as specified in Paragraphs (e)(3) and (4) of this section, Method 5 of Appendix A–3 of this part or Method 17 of Appendix A–6 of this part shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5 (40 CFR Part 60, Appendix A–3), if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter. [§60.675(b)(1)]
  - b) Method 9 of Appendix A–4 of this part and the procedures in §60.11 shall be used to determine opacity. [§60.675(b)(2)]
  - c) In determining compliance with the particulate matter standards in §60.672(b) or §60.672(e)(1), the permittee shall use Method 9 of Appendix A–4 of this part and the procedures in §60.11, with the following additions: [§60.675(c)(1)]
    - i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet). [§60.675(c)(1)(i)]
    - ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources ( *e.g.*, road dust). The required observer position relative to the sun (Method 9 of Appendix A–4 of this part, Section 2.1) shall be followed. [§60.675(c)(1)(ii)]
    - iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist shall not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible. [§60.675(c)(1)(iii)]
    - iv) In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under §60.672(f) of this subpart, using Method 9 (40 CFR Part 60, Appendix A–4), the duration of the Method 9 (40 CFR Part 60, Appendix A–4) observations shall be one hour (ten six-minute averages). [§60.675(c)(2)(i)]
    - v) The duration of the Method 9 (40 CFR Part 60, Appendix A–4) observations may be reduced to the duration the affected facility operates (but not less than 30 minutes) for baghouses that control storage bins or enclosed truck or railcar loading stations that operate for less than one hour at a time. [§60.675(c)(2)(ii)]
  - d) When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) or §60.672(e)(1) of this subpart, the duration of the Method 9 (40 CFR Part 60, Appendix A–4) observations shall be 30 minutes (five six-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of this subpart shall be based on the average of the five six-minute averages. [§60.675(c)(3)]
- 3) To demonstrate compliance with the fugitive emission limits for buildings specified in §60.672(e)(1), the permittee shall complete the testing specified in Paragraph (d)(1) and (2) of

this section. Performance tests shall be conducted while all affected facilities inside the building are operating. [§60.675(d)]

- a) If the building encloses any affected facility that commences construction, modification, or reconstruction on or after April 22, 2008, the permittee shall conduct an initial Method 9 (40 CFR Part 60, Appendix A-4) performance test according to this section and §60.11. [§60.675(d)(1)]
- b) If the building encloses only affected facilities that commenced construction, modification, or reconstruction before April 22, 2008, and the permittee has previously conducted an initial Method 22 (40 CFR Part 60, Appendix A-7) performance test showing zero visible emissions, then the permittee has demonstrated compliance with the opacity limit in §60.672(e)(1). If the permittee has not conducted an initial performance test for the building before April 22, 2008, then the permittee shall conduct an initial Method 9 (40 CFR Part 60, Appendix A-4) performance test according to this section and §60.11 to show compliance with the opacity limit in §60.672(e)(1). [§60.675(d)(2)]
- 4) The permittee may use the following as alternatives to the reference methods and procedures specified in this section: [§60.675(e)]
  - a) For the method and procedure of Paragraph (c) of this section, if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used: [§60.675(e)(1)]
    - i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream. [§60.675(e)(1)(i)]
    - ii) Separate the emissions so that the opacity of emissions from each affected facility can be read. [§60.675(e)(1)(ii)]
  - b) A single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met: [§60.675(e)(2)]
    - i) No more than three emission points may be read concurrently. [§60.675(e)(2)(i)]
    - ii) All three emission points shall be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points. [§60.675(e)(2)(ii)]
    - iii) If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer shall stop taking readings for the other two points and continue reading just that single point. [§60.675(e)(2)(iii)]
  - c) Method 5I of Appendix A-3 of this part may be used to determine the PM concentration as an alternative to the methods specified in Paragraph (b)(1) of this section. Method 5I (40 CFR Part 60, Appendix A-3) may be useful for affected facilities that operate for less than one hour at a time such as (but not limited to) storage bins or enclosed truck or railcar loading stations. [§60.675(e)(3)]
  - d) In some cases, velocities of exhaust gases from building vents may be too low to measure accurately with the type S pitot tube specified in EPA Method 2 of Appendix A-1 of this part [*i.e.*, velocity head <1.3 mm H<sub>2</sub>O (0.05 in. H<sub>2</sub>O)] and referred to in EPA Method 5 of Appendix A-3 of this part. For these conditions, the permittee may determine the average gas flow rate produced by the power fans ( *e.g.*, from vendor-supplied fan curves) to the building vent. The permittee may calculate the average gas velocity at the building vent measurement

site using Equation 1 of this section and use this average velocity in determining and maintaining isokinetic sampling rates.

**Error! Objects cannot be created from editing field codes.** Equation 1

Where:

$V_e$  = average building vent velocity (feet per minute);

$Q_f$  = average fan flow rate (cubic feet per minute); and

$A_e$  = area of building vent and measurement location (square feet). [§60.675(e)(4)]

- 5) For performance tests involving only Method 9 (40 CFR Part 60 Appendix A–4) testing, the permittee may reduce the 30-day advance notification of performance test in §60.7(a)(6) and 60.8(d) to a seven-day advance notification. [§60.675(g)]
- 6) If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in §60.671 of this subpart) of the affected facility, then with approval from the permitting authority, the permittee may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility. [§60.675(i)]

**Record Keeping/Reporting:**

- 1) For affected facilities (as defined in §§60.670 and 60.671) for which construction, modification, or reconstruction commenced on or after April 22, 2008, the permittee shall record each periodic inspection required under §60.674(b) or (c), including dates and any corrective actions taken, in a logbook (in written or electronic format). The permittee shall retain the logbook onsite and make hard or electronic copies (whichever is requested) of the logbook available to the Administrator upon request. [§60.676(b)(1)]
- 2) The permittee shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations made using Method 9 (40 CFR Part 60, Appendix A–4) to demonstrate compliance with §60.672(b), (e) and (f). [§60.676(f)]
- 3) The Subpart A requirement under §60.7(a)(1) for notification of the date construction or reconstruction commenced is waived for affected facilities under this subpart. [§60.676(h)]
- 4) A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator. [§60.676(i)]
  - a) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the permittee to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available. [§60.676(i)(1)]
  - b) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant. [§60.676(i)(2)]
- 5) Notifications and reports required under this subpart and under Subpart A of this part to demonstrate compliance with this subpart need only to be sent to the EPA Region or the State which has been delegated authority according to §60.4(b). [§60.676(k)]
- 6) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel upon request.
- 7) All records shall be retained for five (5) years.
- 8) The permittee shall report to the Air Pollution Control Program's Enforcement Section,

P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.

- 9) The permittee shall report any deviations from the standards, monitoring, test methods/procedures, and record keeping/reporting requirements of this permit condition in the annual monitoring report and compliance certification required by Section V of this permit.

**Reporting and Recordkeeping:**

- 1) The permittee shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations made using Method 9 (40 CFR part 60, Appendix A-4) to demonstrate compliance with §60.672(b), (e) and (f). (§60.676(f))
- 2) A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator. (§60.676(i))
- 3) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available. (§60.676(i)(1))
- 4) The permittee shall report to the Air Pollution Control Program Enforcement Section, PO Box 176, Jefferson City, MO 65102 no later than ten (10) days after any exceedances of the limitations imposed by this permit. {Special Condition no. 9 of #102005-012A }
- 5) The permittee shall report any deviations from the requirements of this permit condition in the report and annual compliance certification required by Section V of this permit.

| <b>PERMIT CONDITION 9</b>   |   |
|---|---|
| 10 CSR 10-6.075 Maximum Achievable Control Technology Regulations<br>40 CFR Part 63, Subpart ZZZZ – National Emission Standard for Hazardous Air Pollutants for<br>Stationary Reciprocating Internal Combustion Engines |   |
| 2013 EIQ<br>Reference   | Description   |
| EP-07G  | Generator: 510 Hp No. 2 diesel powered generator; MHDR 1.297 MMBtu/hr; installed 2005 |
| Engine Category   | Existing Emergency CI > 500 Hp  |

**Operational Requirement:**

- 1.) The permittee must be in compliance with the applicable requirements of MACT ZZZZ at all times. [§63.6605(a)]
- 2.) At all times, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. [§63.6605(b)]

**Work Practice Standards:**

- 1.) For each RICE, the permittee must meet the following requirement (*except during periods of startup*);.

- a.) Change oil and filter every 500 hours of operation or annually, whichever comes first; (The permittee has the option to utilize an oil analysis program as described in §63.6625(i) or (j) in order to extend the specified oil change requirement.)
  - b.) Inspect spark plugs every 1000 hours of operation or annually, whichever comes first, and replace as necessary; and
  - c.) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
- 2.) During periods of startup the permittee must minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [Items 4.a, 4.b and 4.c of Table 2d to Subpart ZZZZ]

**Operational Limitations:**

- 1.) The permittee shall operate the emergency stationary RICE according to the requirements in paragraphs §63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE under 40 CFR 63 Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs §63.6640(f)(1) through (4), is prohibited. [§63.6640(f)]
  - a.) There is no time limit on the use of emergency stationary RICE in emergency situations. [§63.6640(f)(1)]
  - b.) The permittee may operate the emergency stationary RICE for any combination of the purposes specified in paragraphs §63.6640(f)(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs §63.6640(f)(3) and (4) counts as part of the 100 hours per calendar year allowed by this paragraph §63.6640(f)(2). [§63.6640(f)(2)]
    - i.) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [§63.6640(f)(2)(i)]
    - ii.) Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see § 63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3. [§63.6640(f)(2)(ii)]
    - iii.) Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency. [§63.6640(f)(2)(iii)]
  - c.) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance

and testing and emergency demand response provided in paragraph §63.6640(f)(2). Except as provided in paragraphs §63.6640(f)(4)(i) and (ii), the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [§63.6640(f)(4)]

- i.) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system. [§63.6640(f)(4)(i)]
- ii.) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [§63.6640(f)(4)(ii)(A) through (E)]
  - A.) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.
  - B.) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
  - C.) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
  - D.) The power is provided only to the facility itself or to support the local transmission and distribution system.
  - E.) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.
- 2.) If you do not operate the engine according to the requirements in paragraphs §63.6640(f)(1) through (4), the engine will not be considered an emergency engine under 40 CFR 63 Subpart ZZZZ and must meet all requirements for non-emergency engines. [§63.6640(f)]

**Recordkeeping Requirements:**

- 1.) The permittee must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to the facility's own maintenance plan. [§63.6655(e)]
- 2.) The permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The Permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in §63.6640(f)(2)(ii) or (iii) or §63.6640(f)(4)(ii), the permittee must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. [§63.6655(f)]

**Reporting:**

- 1) The Permittee must report each instance in which an applicable emission limitation or operating limitation in Table 2c to MACT ZZZZ was not met. These instances are deviations from the emission and operating limitations in MACT ZZZZ, and must be reported according to the requirements in §63.6650. [[§63.6640\(b\)](#)]
- 2) The permittee shall report to the Missouri Air Compliance Coordinator; EPA Region 7, 11201 Renner Boulevard, Lenexa, KS 66219, no later than ten (10) days after any exceedance of any of the terms imposed by this regulation or any malfunction which could possibly cause an exceedance of this regulation.
- 3) The permittee shall report any deviations/exceedances of this permit condition using the semi-annual monitoring report and annual compliance certification to the Missouri Air Compliance Coordinator; EPA Region 7, 11201 Renner Boulevard, Lenexa, KS 66219, as required by Section V of this permit.

| <b>PERMIT CONDITION 10</b>  |  |
|---|--|
| 10 CSR 10-6.220, Restriction of Emissions of Visible Air Contaminants |  |
| 2013 EIQ Reference  | Description  |
| EP-05C  | Scalping Screen, ABCO, S/N E34810-20 4'x10' single-deck, Constructed 1979, MHDR 180 tons/hr          |
| EP-16C  | Conveyor, Homemade, Constructed pre-1980, MHDR 36 tons/hr  |
| EP-21C  | Conveyor, Homemade, Constructed pre-1980, MHDR 36 tons/hr  |
| EP-02D  | Cold Bins & 4 conveyors, Homemade, Constructed 1997, MHDR 141 tons/hr (each bin/conveyor set)        |
| EP-08D  | Hot Asphalt Silo, Gencor, Constructed 1997, MHDR 150 tons/hr   |
| EP-04D  | Asphalt Oil Heater, Hy-way, Model# Hycgo-100, Constructed 1997, MHDR 1.3 MMBtu/hr, #2 Fuel Oil fired |
| EP-04C  | Conveyor, Pioneer, Constructed pre-1960, MHDR 180 tons/hr  |
| EP-07C  | Conveyor, Hewett Robbins, Constructed pre-1970, MHDR 216 tons/hr                                     |
| EP-09C  | Conveyor, Pioneer, Constructed pre-1960, MHDR 100 tons/hr  |
| EP-17C  | Conveyor, Pioneer, Constructed pre-1960, MHDR 36 tons/hr   |

**Emission Limitation:**

- 1) For EP-05C, EP-16C, EP-21C, EP-02D, EP-08D, and EP-04D: No owner or other person shall not cause or permit emissions to be discharged into the atmosphere from any **new** source any visible emissions with an opacity greater than 20%.
- 2) For EP-04C, EP-07C, EP-09C, and EP-17C: No owner or other person shall not cause or permit emissions to be discharged into the atmosphere from any **existing** source any visible emissions with an opacity greater than 40%.
- 3) Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any 60 minutes air contaminants with an opacity up to 60%.

**Monitoring:**

- 1) The permittee shall conduct opacity readings on each emission unit using the procedures contained in USEPA 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 (8) 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 (2) weeks for a period of eight (8) 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.
  - 4) Issuance of an Operating Permit renewal does not reset this monitoring schedule.

**Recordkeeping:**

- 1) The permittee shall maintain records of all observation results using Attachment J (or equivalent), noting:
  - i. Whether any air emissions (except for water vapor) were visible from the emission units,
  - ii. All emission units from which visible emissions occurred, and
  - iii. Whether the visible emissions were normal for the process.
- 2) The permittee shall maintain records of any equipment malfunctions. (see Attachment K)
- 3) The permittee shall maintain records of any Method 9 test performed in accordance with this permit condition. (see Attachment L)
- 4) These records shall be made available immediately for inspection to Department of Natural Resources personnel upon request.
- 5) All records shall be maintained for five years.

**Reporting:**

- 1) The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.
- 2) The permittee shall report any deviations from the requirements of this permit condition in the report and annual compliance certification required by Section V of this permit.

| <b>PERMIT CONDITION 12</b><br>10 CSR 10-6.260<br>Restriction of Emission of Sulfur Compounds |   |
|--|---|
| <b>2013 EIQ Reference</b>  | <b>Description</b>  |
| EP-07G1  | Crusher Engine, MHDR 0.25 MMBtu/hr, Constructed 2005, #2 Fuel Oil fired   |
| EP-07G   | Generator Engine, Cummins, Constructed 2005, 510 Hp, MHDR 1.297 MMBtu/hr, #2 Fuel Oil fired                             |
| EP-03D   | Asphalt Plant Dryer, with a waste oil-fired burner 37.8 MMBtu/hr, Gencor Ultradrums, Constructed 1997, MHDR 150 tons/hr |
| EP-04D   | Asphalt Oil Heater, Hy-way, Model# Hycgo-100, Constructed 1997, MHDR 1.3 MMBtu/hr, #2 Fuel Oil fired                    |

**Emission Limitation:**

- 1) For EP-07G1, EP-07G, and EP-03D: Emissions from any **new** source operation shall not contain more than five hundred parts per million by volume (500 ppmv) of sulfur dioxide.
- 2) For EP-07G1, EP-07G, and EP-03D: Stack gasses shall not contain more than thirty-five milligrams (35 mg) per cubic meter of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three hour time period.
- 3) For EP-04D: Emission from any indirect heating source no person shall cause or allow emissions of sulfur dioxide into the atmosphere in excess of eight pounds (8lbs.) of sulfur dioxide per million Btus actual heat input averaged on any consecutive three (3)-hour time period.

**Operational Limitation/Equipment Specifications:**

The emission unit shall be limited to burning fuel with a sulfur content less than 0.5%.

**Monitoring/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:**

- 1) The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any exceedance of any of the terms imposed by this regulation, or any malfunction which could possibly cause an exceedance of this regulation.
- 2) The permittee shall report any deviations from the requirements of this permit condition in the report and annual compliance certification required by Section V of this permit.

## IV. Core Permit Requirements

The installation shall comply with each of the following 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. 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) Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
  - a) Name and location of installation;
  - b) Name and telephone number of person responsible for the installation;
  - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
  - d) Identity of the equipment causing the excess emissions;
  - e) Time and duration of the period of excess emissions;
  - f) Cause of the excess emissions;
  - g) Air pollutants involved;
  - h) 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 rr after receipt of the notice of excess emissions. Based upon information submitted by the permittee or any other pertinent information available, the director or the commission shall make a determination whether the excess emissions constitute a malfunction, start-up or shutdown and whether the nature, extent and duration of the excess emissions warrant enforcement action under section 643.080 or 643.151, RSMo.

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

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

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

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

The permittee shall file a complete application for renewal of this operating permit at least six months before the date of permit expiration. In no event shall this time be greater than eighteen months. [10 CSR 10-6.065(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 submit full emissions report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as spreadsheet file, can be submitted for approval by the director.
- 2) The permittee may be required by the director to file additional reports.
- 3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 4) The permittee shall submit a full EIQ for the 2011, 2014, 2017, and 2020 reporting years. In the interim years the installation may submit a Reduced Reporting Form; however, if the installation's emissions increase or decrease by more than five tons when compared to their last submitted full EIQ, the installation shall submit a full EIQ rather than a Reduced Reporting Form.
- 5) In addition to the EIQ submittal schedule outlined above, any permit issued under 10 CSR 10-6.060 section (5) or (6) triggers a requirement that a full EIQ be submitted in the first full calendar year after the permitted equipment initially operates.
- 6) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the emissions report.

- 7) The permittee shall complete required reports on state supplied EIQ forms or electronically via MoEIS. Alternate methods of reporting the emissions can be submitted for approval by the director. The reports shall be submitted to the director by April 1 after the end of each reporting year. If the full emissions report is filed electronically via MoEIS, this due date is extended to May 1.
- 8) 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.
- 9) The permittee shall collect, record and maintain the information necessary to complete the required forms during each year of operation of the installation.

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

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

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

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

#### **10 CSR 10-6.170 Restriction of Particulate Matter to the Ambient Air Beyond the Premises of Origin**

##### **Emission Limitation:**

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

**Monitoring:**

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

The permittee shall maintain the following monitoring schedule:

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

**Recordkeeping:**

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

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

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

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

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

**This requirement is not federally enforceable.**

No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour.

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

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

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

## V. General Permit Requirements

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

### **10 CSR 10-6.065, §(5)(E)2 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, Enforcement Section, P. O. Box 176, Jefferson City, MO 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 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.
  - 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 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 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**

None.

**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 April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 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 contemporaneous written notice of the change to the Air Pollution Control Program, Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. 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 Josh Baker, Estimator/Quality Control Manager. On March 30, 2015 the ACP was notified that Anthony N. Wallace, Vice President, is 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 §(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 replacement A**

#### **Best Management Practices (BMPs)- Construction Industry Fugitive Emissions**

Construction Industry Sites covered by the Interim Relief Policy shall maintain Best Management Control Practices (BMPs) for fugitive emission areas at their installations when in operation. Options for BMPs are at least one of the following:

#### **For Haul Roads:**

1. Pavement of Road Surfaces –
  - A. The operator(s) may pave all or any portion of the haul roads with materials such as asphalt, concrete, and/or other material(s) after receiving approval from the program. The pavement will be applied in accordance with industry standards for such pavement so as to achieve “Control of Fugitive Emissions<sup>1</sup>” while the plant is operating.
  - B. Maintenance and/or repair of the road surface will be conducted as necessary to ensure that the physical integrity of the pavement is adequate to achieve control of fugitive emissions from these areas while the plant is operating.
  - C. The operator(s) shall periodically water, wash and/or otherwise clean all of the paved portions of the haul road(s) as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
  
2. Usage of Chemical Dust Suppressants –
  - A. The operator(s) shall apply a chemical dust suppressant (such as magnesium chloride, calcium chloride, lignosulfonates, etc.) to all the unpaved portions of the haul roads. The suppressant will be applied in accordance with the manufacturer’s suggested application rate (if available) and re-applied as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
  - B. The quantities of the chemical dust suppressant shall be applied, re-applied and/or maintained sufficient to achieve control of fugitive emissions from these areas while the plant is operating.
  - C. The operator(s) shall record the time, date and the amount of material applied for each application of the chemical dust suppressant agent on the above areas. The operator(s) shall keep these records with the plant for not less than five (5) years, and the operator(s) shall make these records available to Department of Natural Resources personnel upon request.
  
3. Usage of Documented Watering –
  - A. The operator(s) shall control the fugitive emissions from all the unpaved portions of the haul roads at the installation by consistently and correctly using the application of a water spray. Documented watering will be applied in accordance with a recommended application rate of 100 gallons per day per 1,000 square feet of unpaved/untreated surface area of haul roads as necessary to achieve control of fugitive emissions from these areas while the plant is operating. For example, the operator(s) shall calculate the total square feet of unpaved vehicle activity area

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<sup>1</sup> For purposes of this document, Control of Fugitive Emissions means to control particulate matter that is not collected by a capture system and visible emissions to the extent necessary to prevent violations of the air pollution law or regulation. (Note: control of visible emission is not the only factor to consider in protection of ambient air quality.)

- requiring control on any particular day, divide that product by 1,000, and multiply the quotient by 100 gallons for that day.
- B. The operator(s) shall maintain a log that documents daily water applications. This log shall include, but is not limited to, date and volumes (e.g., number of tanker applications and/or total gallons used) of water application. The log shall also record rationale for not applying water on day(s) the plant is in operation (e.g., meteorological situations, precipitation events, freezing, etc.)
  - C. Meteorological precipitation of any kind, (e.g. a quarter inch or more rainfall, sleet, snow, and/or freeze thaw conditions) which is sufficient in the amount or condition to achieve control of fugitive emissions from these areas while the plant is operating.
  - D. Watering may also be suspended when the ground is frozen, during periods of freezing conditions when watering would be inadvisable for traffic safety reasons, or when there will be no traffic on the roads. The operator(s) shall record a brief description of such events in the same log as the documented watering.
  - E. The operator(s) shall record the date and the amount of water applied for each application on the above areas. The operator(s) shall keep these records with the plant for not less than five (5) years, and the operator(s) shall make these records available to Department of Natural Resources personnel upon request.

**For Vehicle Activity Areas around Open Storage Piles:**

1. Pavement of Stockpile Vehicle Activity Surfaces –
  - A. The operator(s) may pave all or any portion of the vehicle activity areas around the storage piles with materials such as asphalt, concrete, and/or other material(s) after receiving approval from the program. The pavement will be applied in accordance with industry standards for such pavement so as to achieve control of fugitive emissions while the plant is operating.
  - B. Maintenance and/or repair of the road surface will be conducted as necessary to ensure that the physical integrity of the pavement is adequate to achieve control of fugitive emissions from these areas while the plant is operating.
  - C. The operator(s) shall periodically water, wash and/or otherwise clean all of the paved portions of the vehicle activity areas around the storage piles as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
2. Usage of Chemical Dust Suppressants –
  - A. The operator(s) shall apply a chemical dust suppressant (such as magnesium chloride, calcium chloride, lignosulfonates, etc.) to all the vehicle activity areas around the open storage piles. The suppressant will be applied in accordance with the manufacturer's suggested application rate (if available) and re-applied as necessary to achieve control of fugitive emissions from these areas while the plant is operating.
  - B. The quantities of the chemical dust suppressant shall be applied, re-applied and/or maintained sufficient to achieve control of fugitive emissions from these areas while the plant is operating.
  - C. The operator(s) shall record the time, date and the amount of material applied for each application of the chemical dust suppressant agent on the above areas. The operator(s) shall keep these records with the plant for not less than five (5) years, and the operator(s) shall make these records available to Department of Natural Resources personnel upon request.

3. Usage of Documented Watering –

- A. The operator(s) shall control the fugitive emissions from all the vehicle activity areas around the storage piles at the installation by consistently and correctly using the application of a water spray. Documented watering will be applied in accordance with a recommended application rate of 100 gallons per day per 1,000 square feet of unpaved/untreated surface area of vehicle activity areas around the storage piles as necessary to achieve control of fugitive emissions from these areas while the plant is operating. (Refer to example for documented watering of haul roads.)
- B. The operator(s) shall maintain a log that documents daily water applications. This log shall include, but is not limited to, date and volumes (e.g., number of tanker applications and/or total gallons used) of water application. The log shall also record rationale for not applying water on day(s) the plant is in operations (e.g., meteorological situations, precipitation events, freezing, etc.)
- C. Meteorological precipitation of any kind, (e.g. a quarter inch or more rainfall, sleet, snow, and/or freeze thaw conditions) which is sufficient in the amount or condition to achieve control of fugitive emissions from these areas while the plant is operating.
- D. Watering may also be suspended when the ground is frozen, during periods of freezing conditions when watering would be inadvisable for traffic safety reasons, or when there will be no traffic on the roads. The operator(s) shall record a brief description of such events in the same log as the documented watering.
- E. The operator(s) shall record the date and the amount of water applied for each application on the above areas. The operator(s) shall keep these records with the plant for not less than five (5) years, and the operator(s) shall make these records available to Department of Natural Resources personnel upon request.















**Attachment L**

| 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

# 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 July 30, 2013; and
- 2) 2013 Emissions Inventory Questionnaire, received March 25, 2014.

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

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

None

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

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

10 CSR 10-6.100, *Alternate Emission Limits*

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

## **Construction Permit History**

The following permits and revisions were issued for this installation:

Construction Permit #0894-017

Permitted the installation of a Cedar Rapids Jaw Crusher to replace a current Norberg Jaw Crusher on July 25, 1994.

Construction Permit #0296-015

Permitted the replacement of the existing Cedar Rapids Jaw Crusher with a 1988 Boliden-Allis Jaw Crusher on February 26, 1996.

Construction Permit #0296-015A

Permitted the installation of two new conveyors and one used one at the site on December 26, 1996.

Construction Permit #0697-005

Permitted a hot mix asphalt plant to be operated at the site on June 10, 1997.

Construction Permit #082005-002

Permitted the modification of an existing rock crushing plant on August 04, 2005.

Construction Permit #082005-003

Permitted the modification of an existing asphalt plant using a drum mix dryer on August 04, 2005.

Construction Permit #082005-004

Permitted the installation of a new rock crushing plant at the site on August 04, 2005.

Construction Permit #102005-012

Permitted the modification of the existing Boliden Allis rock-crushing plant to allow for concurrent operations of the Boliden Allis rock-crushing plant, Eagle rock-crushing plant, existing asphalt plant, and a portable asphalt plant on October 19, 2005.

Construction Permit #102005-013

Permitted the modification of the existing asphalt plant to allow for concurrent operations of the Boliden Allis rock-crushing plant, Eagle rock-crushing plant, existing asphalt plant, and a portable asphalt plant on October 19, 2005. The technical review project description states the asphalt plant will run the drum dryer (EP-03D) and the hot oil heater (EP-04D) using diesel fuel. However, no other diesel engine(s) can be used at the site

Construction Permit #102005-014

Permitted the modification of the existing Eagle rock-crushing plant to allow for concurrent operations of the Boliden Allis rock-crushing plant, Eagle rock-crushing plant, existing asphalt plant, and a portable asphalt plant on October 19, 2005.

Construction Permit #102005-012A

Permitted the modification of the existing Boliden Allis rock-crushing plant to allow for concurrent operations on November, 19, 2007. The special conditions of this permit supersede those found in all of the previously issued construction permits for the Boliden Allis rock-crushing plant (0296-015, 0296-015A, 082005-002, and 102005-012) from the APCP.

Construction Permit #102005-013A

Permitted the modification of the existing asphalt plant to allow for concurrent operations on November, 19, 2007. The conditions of this permit supersede all special conditions found in the previously issued construction permits for the asphalt plant (0697-005, 082005-003, and 102005-013) from the APCP. Special condition no. 6 of this permit requires initial testing for equipment applicable to NSPS subpart I. This initial testing has been completed and is not in this operating permit as a condition.

Construction Permit #102005-014A

Permitted the modification of the existing Eagle rock-crushing plant to allow for concurrent operations on November, 19, 2007. The conditions of this permit supersede all special conditions found in the previously issued construction permits for the Eagle rock-crushing plant (082004-004 and 102005-014)

from the APCP.

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

#### *40 CFR Part 60, Subpart I – Standards of Performance for Hot Mix Asphalt Facilities*

The provisions of this subpart applies to each hot mix asphalt facility. For the purpose of this subpart, a hot mix asphalt facility is comprised of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems. Any facility that commenced construction or modification after June 11, 1973 is subject to the requirements of this subpart.

This subpart applies to the asphalt plant and has been applied in permit condition 9.

#### *40 CFR Part 60, Subpart UU – Standards of Performance for Asphalt Processing and Asphalt Roofing manufacture*

The provisions of this subpart applies to are each saturator and each mineral handling and storage facility at asphalt roofing plants; and each asphalt storage tank and each blowing still at asphalt processing plants, petroleum refineries, and asphalt roofing plants.

This subpart does not apply because the asphalt plant does not fit the definition of an “asphalt roofing plant” as defined in §60.471.

#### *40 CFR Part 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants*

The provisions of this subpart apply the affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station.

This subpart applies to equipment at this facility and has been applied in permit condition 10.

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

#### *40 CFR Part 63, Subpart ZZZZ - National Emission Standard for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*

The provisions of this subpart apply to stationary reciprocating internal combustion engines located at major and area sources of HAP emissions.

This subpart applies to EP-07G Cummins Diesel Generator and has been applied in permit condition 11. EP-07G1 Crusher Engine is not subject to this subpart because it is a motor used to propel the crusher.

#### *40 CFR Part 63, Subpart LLLLL- National Emission Standard for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing*

The provisions of this subpart apply to existing and new asphalt processing and asphalt roofing manufacturing facilities.

This subpart does not apply to the site because it does not fit the definition of an asphalt roofing manufacturing facility.

#### *40 CFR Part 63, Subpart AAAAAAA - National Emission Standard for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing*

The provisions of this subpart apply to asphalt processing operation and/or asphalt roofing manufacturing operations that are an area source of hazardous air pollutant emissions.

This subpart does not apply to the site because it does not fit the definition of an asphalt roofing manufacturing facility.

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

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

### **Updated Potential to Emit for the Installation**

| <b>Pollutant</b>  | <b>Potential to Emit (tons/yr)<sup>1</sup></b> |
|-------------------|--|
| CO                | 103.61   |
| HAP               | 0.08   |
| NO <sub>x</sub>   | 120.49   |
| PM <sub>10</sub>  | 155.29   |
| PM <sub>2.5</sub> | 43.11  |
| SO <sub>x</sub>   | 15.71  |
| VOC               | 27.85  |

<sup>1</sup>Each emission unit was evaluated at 8,760 hours of uncontrolled annual operation in construction permits 102005-012, 102005-013, and 102005-014 and included haul roads and fugitive emissions. .

### **Other Regulatory Determinations**

Construction permits #102005-012, 102005-013, 102005-014 required moisture content testing of the stockpiled rock to verify the moisture content greater or equal to 1.5 wt. %. The moisture in the stockpiled rock reduces particulate emissions. In 2005, 2006, and 2007 moisture content testing of the crushed rock demonstrated a moisture content greater than 1.5 wt.%. Since the test results have been consistently greater than 1.5%, no further testing is required and this site shall be deemed to have met this condition on all subsequent permits. The requirement of no future moisture testing of the crushed rock is stated in special condition no. 4 of #102005-012A, #102005-013A, and special condition no. 3 of #102005-014A.

### **Equipment Specifications**

The primary emission point of the Boliden Allis Rock-Crushing Plant, which is the primary crusher (EP-03C) shall be located at least 990 feet from the nearest property boundary whenever it is operating at this site. {Special Condition no. 6 of #102005-012A}

The primary emission point of the rock-crushing plant, which is the secondary crusher (EP-02G) shall be located at least 1240 feet from the nearest property boundary whenever it is operating at this site. {Special Condition no. 6 of #102005-014A}

The primary emission point of the asphalt plant, which is the stack of the drum mix dryer, shall be located at least 500 feet from the nearest property boundary whenever it is operating at this site. {Special Condition no. 7 of #102005-013A}

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

The following calculations demonstrate compliance with 10 CSR 10-6.260 when burning fuel oil with a sulfur content less than 0.5%

$$\text{Distillate Oil SO}_2 \text{ emission factor (lbs / MMBtu)} = \frac{142(0.5) \text{ lbs}/10^3 \text{ gal}}{140 \text{ MMBtu} / 10^3 \text{ gal}} = 0.507 \text{ lb/MMBtu}$$

(AP - 42 Table 1.3 - 1(9/98))

$$\text{ppmv SO}_2 = \left( \frac{0.507 \text{ lb}}{\text{MMBtu}} \right) \times \left( \frac{\text{MMBtu}}{10,320 \text{ wscf}} \right) \times \left( \frac{\text{ppmw}}{1.660\text{E}^{-7} \text{ lb / scf}} \right) \times \left( \frac{0.45 \text{ ppmv}}{\text{ppmw}} \right) = 133.22 \text{ ppmv}$$

(Appendix A – 7 to Part 60)

$$\text{Distillate Oil SO}_3 \text{ emission factor (lbs / MMBtu)} = \frac{2(0.5) \text{ lbs}/10^3 \text{ gal}}{140 \text{ MMBtu} / 10^3 \text{ gal}} = 0.007 \text{ lb/MMBtu}$$

(AP - 42 Table 1.3 - 1(9/98))

$$\text{ppmv SO}_3 = \left( \frac{0.007 \text{ lb}}{\text{MMBtu}} \right) \times \left( \frac{\text{MMBtu}}{10,320 \text{ wscf}} \right) \times \left( \frac{1.602 \times 10^7 \text{ mg ft}^3}{\text{lb m}^3} \right) = 11.088 \frac{\text{mg}}{\text{m}^3}$$

(Appendix A – 7 to Part 60)

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

This regulation applies to any operation, process, or activity that emits particulate matter with the following exemptions:

10 CSR 10-6.400(1)(B)2. exempts emissions from the grinding, crushing, and classifying operations at a rock quarry;

10 CSR 10-6.400(1)(B)7. exempts emissions from fugitive sources, which are defined as those emissions which according to good engineering practice could not pass through a stack, chimney, vent, or other functionally equivalent opening.

10 CSR 10-6.400(1)(B)12 exempts emission units that at maximum design capacity have a potential to emit less than 0.5 lb PM/hr.

Units that are subject to NSPS with particulate matter emission limits are not subject to 10 CSR 10-6.400 because the NSPS standards are more stringent.

All of the units on site meet at least one of these exemptions. Therefore, 10 CSR 10-6.400 is not included in this Operating Permit.

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

## Response to Public Comments

A draft of the Lead Belt Materials Co., Inc. Intermediate Operating Permit was placed on public notice on April 10, 2015, by the Missouri Department of Natural Resources (MDNR). Comments were received on May 7, 2015 from Mark Smith, Air Permitting and Compliance Branch Chief of the Environmental Protection Agency Region 7. The twelve comments are presented below as submitted, with the response to each comment by the Air Pollution Control Program (APCP) directly following.

**EPA Comment #1: Permit Condition 1** incorporates voluntary emission limitations of less than 100 tons in any consecutive twelve month period of particulate matter less than or equal to ten (10) microns in diameter (PM<sub>10</sub>); of nitrogen oxides (NO<sub>x</sub>); and of carbon monoxide (CO). Lead Belt Materials - Bonne Terre has taken these voluntary limits on PM<sub>10</sub>, NO<sub>x</sub>, and CO emissions to remain below the major level in order to obtain this Intermediate State Permit to Operate. However, EPA cannot determine whether or not these PM<sub>10</sub>, NO<sub>x</sub> and CO emission limitations are enforceable from a practical matter because these emission limitations, as presented in this draft operating permit, fail to identify the emission units subject to these limitations. EPA does note that Permit Condition 1 requires the permittee to maintain an accurate records of actual monthly emissions using Attachments A, B, C, G, H, and I or equivalent. Attachments A, B, C, G, H, and I, however, include process emission factors and composite emission factors which are neither referenced nor include the method of determination available for review and comment. Therefore, EPA would find Attachments A, B, C, G, H, and I to not be enforceable from a practical matter.

In its response to a petition against an operating permit issued to Hu Honua Bioenergy Facility, the Environmental Protection Agency granted the petitioners contention that the operating permit failed to ensure the enforceability as a practical matter because the permit was unclear whether all actual emissions were considered in determining compliance. Specifically, the permit failed to include emissions from malfunctions or upset conditions, although the permit did address start-up and shutdown emissions. Additionally, the Environmental Protection Agency also granted the petitioners claim that, for purposes of determining the potential-to-emit (PTE) of a stationary source, the PTE shall encompass the maximum capacity of a stationary source to emit pollutants under its physical and operational design. Thus, emissions for all emission units that are part of the source's physical and operational design must be included in calculating PTE for purposes of determining PM<sub>10</sub>, NO<sub>x</sub>, and CO voluntary limit compliance, including emission units that have been designated as without limitations and any designated insignificant activities.

Permit Condition 1, in the Lead Belt Materials - Bonne Terre draft operating permit, is unclear whether or not start-up, shutdown, malfunction and upset emissions are considered in the determination of compliance. In addition, it is unclear whether or not all emission units with the potential to emit PM<sub>10</sub>, NO<sub>x</sub>, and CO are included in the compliance determination and the methodology for the emission determinations is not described. Therefore, EPA believes Permit Condition 1 is not practically enforceable and recommends MDNR provide the additional detail as to how Lead Belt Materials - Bonne Terre PM<sub>10</sub>, NO<sub>x</sub>, and CO emissions are measured to assure compliance with the voluntary limit.

**Missouri Air Pollution Control Program Response to EPA Comment #1:**

The text “The installation wide conditions apply to all emission units at this installation. All emission units are listed in Section I under Emission Units with Limitations or Emission Units without Limitations.” has been added to the description under II. Installation Wide and Plant Emission Limitations.

“Start-Up, Shutdown, and Malfunction emissions shall be included as reported to APCP Compliance and Enforcement” has been added to emission tracking sheets to include SSM conditions and emissions in compliance determinations.

**EPA Comment #2:** The *Monitoring* requirement in **Permit Condition 1** says: "The Permittee shall monitor the PM10, NOx and CO emissions." This is a true and accurate statement, however, this requirement is not enforceable from a practical matter. Each operating permit condition must be practically enforceable and EPA's guidance on practical enforceability defines a practically enforceable permit condition as one which answers "who," "what," "where," "when," "how" and "how often." The Monitoring requirement in Permit Condition 1 identifies the "who," and "what" but fails to include the "where," "when," "how" and "how often" and therefore EPA recommends MDNR expand the monitoring requirement to ensure its enforceability.

**Missouri Air Pollution Control Program Response to EPA Comment #2:**

The monitoring and recordkeeping has been modified as suggested.

**EPA Comment #3:** The **Emission Limitation** in **Permit Condition 2** requires the permittee to limit its ambient impact of PM10 at or beyond the nearest property line to less than 150 µg/m<sup>3</sup> in any 24-hour period. However, there is nothing in Permit Condition 2 that indicates how the permittee is to monitor and maintain their ambient impact to less than the emission limit. Therefore, EPA recommends MDNR utilize the authority provided in 10 CSR 10-6.065(5)(C)l, and require periodic monitoring and record keeping to verify compliance with the ambient air quality standard. Also, EPA does not enforce against the NAAQS and therefore EPA recommends MDNR show Permit Condition 2 as a "State Only" permit condition.

**Missouri Air Pollution Control Program Response to EPA Comment #3:**

“This requirement is not federally enforceable and is a state only requirement.” Has been added to Permit Condition 2.

**EPA Comment #4: Permit Condition 3** incorporates requirements from Construction Permit #102005-012A related to the Bolden Allis Rock-Crushing Plant; and **Permit Condition 5** incorporates requirements from Construction Permit #102005-014A related to the Eagle Rock-crushing Plant. Both permit conditions include an operational limitation which is not enforceable as a practical matter. Each operating permit condition must be practically enforceable and EPA's guidance on practical enforceability defines a practically enforceable permit condition as one which answers "who," "what," "where," "when," "how" and "how often." The operational limitation in Permit Condition 3 and Permit Condition 5 are written as statement of facts and neither one identifies the "who," "what," "where," "when," "how" and "how often" and therefore EPA recommends MDNR modify these requirements to be enforceable, or included the statements of fact in the Statement of Basis.

**Missouri Air Pollution Control Program Response to EPA Comment #4:**

The monitoring and recordkeeping has been modified as suggested.

**EPA Comment #5: Permit Condition 6** incorporates requirements from Construction Permit #102005-012A related to the Bolden Allis Rock-Crushing Plant; and **Permit Condition 8** incorporates requirements from Construction Permit #102005-014A related to the Eagle Rock-crushing Plant. However, the only requirement detailed in the draft operating permit is an **"Equipment Specification."** EPA believes equipment specifications are not permit conditions and are more appropriately included in the Statement of Basis or as part of the equipment and installation description. EPA recommends MDNR eliminate Permit Condition 6 and Permit Condition 8 and include the relevant information in a more appropriate section of the operating permit.

If however, these requirements are intended to be action items for the permittee, then MDNR needs to draft the requirements in an enforceable manner and include monitoring and / or record keeping to verify compliance.

**Missouri Air Pollution Control Program Response to EPA Comment #5:**

The equipment specifications have been moved to the Statement of Basis.

**EPA Comment #6: Permit Condition 7** requires permittee to install and operate baghouse(s) to restrict the emission of particulate matter from the drum dryer, emission unit EP-03D. However, Permit Condition 7 does not address any applicable monitoring requirements associated with the(se) baghouse(s). Therefore, EPA recommends MDNR utilize the authority provided in 10 CSR 10-6.065(5)(C)l, and require periodic monitoring and record keeping to verify compliance with the prescribed baghouse(s) operation.

Additionally, Equipment Specification 2) is drafted as a statement of fact and here again EPA believes this equipment specification is more appropriately to be included in either the Statement of Basis or the installation description and recommends MDNR relocate this information. If however, this requirement is intended to be an action item for the permittee, then MDNR needs to draft the requirement in an enforceable manner and include monitoring and / or record keeping to verify compliance.

**Missouri Air Pollution Control Program Response to EPA Comment #6:**

The permit condition has been modified as suggested and renumbered to Permit Condition 6.

**EPA Comment #7: Permit Condition 9** incorporates New Source Performance Standards from 40 CFR part 60, Subpart I: *"Standards of Performance for Hot Mix Asphalt Plants."* The emission limitation states "On or after the date on which the performance test requires to be conducted by §60.8 is completed, the permittee shall not ...." EPA believes the initial performance test has already been completed, so therefore, this is likely not an applicable requirement. EPA recommends MDNR remove requirements that are not applicable during the term of the operating permit. Additionally, the emission limitation contains both a PM and an opacity limit, however, there is no monitoring requirement for the permittee to verify compliance. EPA recommends that MDNR utilize the authority provided in 10 CSR 10-6.065(5)(C)l, and require periodic monitoring and record keeping to verify compliance with the PM and opacity standards. EPA recommends MDNR include periodic testing, at least once during the term of the operating permit. Finally, the draft Test Method and Procedures requirement in Permit Condition 9 says: "The permittee shall refer to §60.93 for test

methods and procedures applicable under 40 CFR Part 60 Subpart I." If the expectation is for the permittee to undertake further action following their referring to §60.93, then MDNR shall include additional language requiring the permittee to undertake further actions.

**Missouri Air Pollution Control Program Response to EPA Comment #7:**

The reference to initial testing has been removed from the permit condition. Recordkeeping and monitoring for opacity has been added to the permit condition. Permit Condition 9 was renumbered to Permit Condition 7.

**EPA Comment #8: Permit Condition 10** incorporates New Source Performance Standards from 40 CFR part 60, Subpart 000: "*Standards of Performance for Nonmetallic Mineral Processing Plants.*" *Emission Limitation 1*) states "On or after the date on which the performance test requires to be conducted by §60.8 is completed, the permittee shall not ... "***Emission Limitation 2***) states: "On and after the sixtieth day after achieving the maximum production rate ..... " EPA believes the initial performance test and the maximum production rate test have already been completed, so therefore, these requirements are no longer applicable. EPA recommends MDNR remove requirements that are not applicable during the term of the operating permit. Additionally, the emission limitation contains both a PM and an opacity limit, however, there is no monitoring requirement for the permittee to verify compliance. EPA recommends that MDNR utilize the authority provided in 10 CSR 10-6.065(5)(C)1, and require periodic monitoring and record keeping to verify compliance with the PM and opacity standards. EPA recommends MDNR include periodic testing, at least once during the term of the operating permit.

**Missouri Air Pollution Control Program Response to EPA Comment #8:**

The reference to initial testing has been removed from the permit condition. Monitoring, test methods, and recordkeeping language has been added to the condition. Permit Condition 10 has been renumbered to Permit Condition 8.

**EPA Comment #9: Permit Condition 11** incorporates applicable requirements associated with Maximum Achievable Control Technology (MACT) regulations pertaining to Stationary Reciprocating Combustion Engines (RICE) as found in 40 CFR part 63, Subpart ZZZZ. The draft permit condition indicates these requirements apply to Emission Unit EP-07G. However, the installation description in Section I indicates there is an engine associated with the Eagle Rock-Crushing Plant, Emission Unit EP-07G1. EPA recommends that MDNR provide an explanation in the Statement of Basis as to why Emission Unit EP-07G1 is exempt from the requirements of the RICE MACT.

Also, to date, MDNR has not accepted and taken over the compliance responsibilities of the area source RICE MACT and as such relies on the EPA to monitor and manage area source compliance. Therefore, EPA recommends MDNR add specific clarifying language into the reporting requirements of this Permit Condition 11, to show EPA as the primary compliance information recipient and MDNR as secondary.

**Missouri Air Pollution Control Program Response to EPA Comment #9:**

Emission Unit EP-07G1 has been added to the statement of basis with an explanation and the reporting requirement has been modified to show EPA as primary information recipient. Permit Condition 11 has been renumbered to Permit Condition 9.

**EPA Comment #10:** The *Operational Limitation/Equipment Specification* in Permit Condition 13 says: "The emission unit shall be limited to burning fuel with a sulfur content less than 0.5%." This requirement is not enforceable from a practical matter. Each operating permit condition must be practically enforceable and EPA's guidance on practical enforceability defines a practically enforceable permit condition as one which answers "who," "what," "where," "when," "how" and "how often." The *Operational Limitation/Equipment Specification* requirement in Permit Condition 13 identifies the "what" but fails to include the "who," "where," "when," "how" and "how often" and therefore EPA recommends MDNR expand the monitoring requirement to ensure its enforceability.

**Missouri Air Pollution Control Program Response to EPA Comment #10:**

Due to the limited availability and the requirements to purchase non-ultra-low sulfur fuel the permit condition is not changed. Permit Condition 13 has been renumbered to Permit Condition 11.

**EPA Comment #11:** The language regarding the written notification requirement for Off-Permit Changes in Section V used in operating permits has recently been modified to more closely match the wording in 10 CSR 10-6.065(6)(C)5. Therefore, EPA recommends MDNR use the newer Off-Permit Change wording in the Lead Belt Materials - Bonne Terre operating permit.

**Missouri Air Pollution Control Program Response to EPA Comment #11:** The draft has been corrected as suggested.

**EPA Comment #12:** Attachment E and Attachment F are examples of the data record sheets for capturing the *"Daily Ambient PM10 Impact"* as referenced in Permit Condition 2. Attachments E and F rely on an undefined and unreferenced "Ambient Impact Factor" and a "Background Level" from an undefined period in time. The validity of these tracking log sheets cannot be determined which brings into question their practical enforceability. For Attachments E and F to be practically enforceable, the derivation of the "Ambient Impact Factor" and the "Background Level" must be provided for public review and comment and to ensure that all values, being used to verify compliance with a permit emission limitation, represent to the most current conditions. Therefore, EPA recommends MDNR provide the "Ambient Impact Factor" derivation methodology. Additionally, if the "Background Level" is from the date of the construction permits, which forms the basis of Permit Condition 2, then EPA recommends MDNR provide an explanation justifying the fact that there is no change in background concentration between 2007 and date of operating permit issue.

**Missouri Air Pollution Control Program Response to EPA Comment #12:**

The level of Ambient Air Quality Monitoring requested by the EPA in this comment is not conducted in an operating permit technical review.

Anthony N. Wallace  
Lead Belt Materials Co., Inc.  
PO Box 607  
Park Hills, MO 63601

Re: Lead Belt Materials Co., Inc., 187-0054  
Permit Number: OP2015-040

Dear Sir:

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

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.078.16 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty (30) days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If you send your appeal by registered or certified mail, we will deem it filed on the date you mailed it. If you send your appeal by a method other than registered or certified mail, we will deem it filed on the date the AHC receives it.

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

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS/TEK

Enclosures

c: PAMS File: 2013-07-071