



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 herein.

Intermediate Operating Permit Number: OP2010-111
Expiration Date: NOV 01 2015
Installation ID: 037-0002
Project Number: 2006-12-059

Installation Name and Address

Martin Marietta Materials - Peculiar Quarry
7410 East State Highway YY
Peculiar, MO 64078
Cass County

Parent Company's Name and Address

Martin Marietta Materials, Inc.
11900 West 87th Street Parkway, Suite 200
Lenexa, KS 66215

Installation Description:

Martin Marietta Materials Peculiar Quarry mines stone by crushing and screening the rock into various sizes or classifications depending on the final end use for the material. The classified rock is then conveyed either to open storage piles or storage bins. Eventually the aggregate is transported off-property by truck.

NOV 02 2010

Effective Date



Director or Designee
Department of Natural Resources

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Martin Marietta Materials Peculiar Quarry mines stone by crushing and screening the rock into various sizes or classifications depending on the final end use for the material. The classified rock is then conveyed either to open storage piles or storage bins. Eventually the aggregate is transported off-property by truck. The facility uses power obtained from a public utility.

The PM₁₀ emissions from this rock crushing plant will be controlled by the moisture of the rock, which was demonstrated to be greater than or equal to 1.5% by weight. Documented watering or chemical dust suppressant will control 90% of the PM₁₀ emissions from the unpaved haul roads. Undocumented watering will control 50% of the PM₁₀ emissions from the storage pile vehicular activity areas.

Considering the grade of elevation and turns in the road coming out from the pit, the speed for that road was considered to be six (6) miles per hour (mph). The speed on the haul road from the plant to the stockpile was assumed to be ten (10) mph, since the road's length is greater than 500 feet. As for the customer haul road, there are fewer factors contributing to the truck speed, therefore, the speed was assumed to be 15 mph.

The "visible" emissions wording associated with the wet suppression system permit condition should be interpreted to mean that the APCP would not expect to see a significant amount of visible emissions being emitted from these sources. The APCP does not interpret the "visible" emissions language in this permit to mean that there would never be any visible emissions from these sources.

Reported Air Pollutant Emissions, tons per year								
Year	Particulate Matter ≤ Ten Microns (PM-10)	Particulate Matter ≤ 2.5 Microns (PM-2.5)	Sulfur Oxides (SO _x)	Nitrogen Oxides (NO _x)	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)	Lead (Pb)	Hazardous Air Pollutants (HAPs)
2009	2.05	0.00	-- ¹	--	--	--	--	--
2008	12.26	0.05	--	--	--	--	--	--
2007	13.38	0.19	--	--	--	--	--	--
2006	24.58	0.25	--	--	--	--	--	--
2005	21.52	2.61	--	--	--	--	--	--

EMISSION UNITS WITH LIMITATIONS

The following equipment emit air pollutants and have unit-specific emission limitations.

Emission Unit #	Description of Emission Unit
2A-1	PRIMARY CRUSHING
2A-2	SECONDARY CRUSHING
2B	SCREENING
2C	STORAGE BINS
2F	CONVEYING
2K	OPEN STORAGE

¹ Emissions did not reach the reportable level.

Emission Unit #	Description of Emission Unit
2K	OPEN STORAGE
2L-1	TRUCK LOADING
2L-2	TRUCK UNLOADING

EMISSION UNITS WITHOUT LIMITATIONS

The following equipment does not have unit specific limitations.

2008 EIQ

Designator	Description of Emission Unit
2I-1	DRILLING
2I-5	BLASTING
2J-1	PIT HAULING/STOCKPILE HAULING
2J-2	SALES ROAD HAULING

DOCUMENTS INCORPORATED BY REFERENCE

The following Missouri Department of Natural Resources Construction Permit has been incorporated by reference into this permit.

052002-024A²: Project Number: 2002-06-060: The replacement of a secondary crusher, two (2) belt conveyors, two (2) screens, and the installation of eight (8) belt conveyors, a stacking conveyor, a bin assembly, and a screen at the Peculiar Site.

² This construction permit superseded all previously issued construction permits.

II. Plant Wide Emission Limitations

The following requirements apply to all conditions in addition to any other requirements listed in the specific conditions, unless otherwise noted in the specific conditions.

Monitoring:

The permittee shall calibrate, maintain and operate all instruments and control equipment according to the manufacturer's recommendations.

Recordkeeping:

The permittee shall record all inspections and corrective actions on the appropriate forms.

Reporting:

1. The permittee shall report any exceedance of any of the terms imposed by this permit, or any malfunction which could cause an exceedance any of the terms imposed by this permit, no later than ten (10) days after the exceedance or event causing the exceedance (unless otherwise specified in the specific condition), to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102.
2. The permittee shall submit an annual certification³ 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. All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. 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's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101.

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

PW01⁴ Permit Condition

10 CSR 10-6.065 *Operating Permits*, subsections (2)(C) and (5)(A) Voluntary Limitation(s)⁵

Emission Limitation:

The permittee shall emit less than 100 tons of PM₁₀⁶ from the entire installation in any consecutive 12-month period⁷.

³ Refer to Section V. General Permit Requirements for more details.

⁴ The permitting authority imposed conditions PW01 on the permittee to avoid Part 70 Installation permitting.

⁵ *Definition:* Intermediate installations are part 70 installations that become basic state installations based on their potential to emit by accepting the imposition of voluntarily agreed to federally-enforceable limitations on the type of materials combusted or processed, operating rates, hours of operation, or emission rates more stringent than those otherwise required by rule or regulation.

Record Keeping:

The permittee shall use Attachment F or its equivalent, approved by the Missouri Air Pollution Control Program, to demonstrate compliance with this condition.

PW02 Permit Condition

10 CSR 10-6.060 Construction Permits Required, Construction Permit 052002-024A, Special Condition 2.B.6)

Operational Limitation:

The installation shall submit notification to Air Pollution Control Program's Enforcement Section if the core equipment is changed or if new equipment is added to the supplemental equipment list.

PW03 Permit Condition

10 CSR 10-6.060 Construction Permits Required, Construction Permit 052002-024A, Special Condition 2.C.

Operational Limitation:

The installation shall maintain at all times a list of the specific supplemental equipment currently being utilized with the generic portable plant operation.

Recordkeeping:

The installation shall immediately make this list of the supplemental equipment currently being used available to any Missouri Department of Natural Resources' personnel upon request.

PW04 Permit Condition

10 CSR 10-6.060 Construction Permits Required, Construction Permit 052002-024A, Special Condition 4.

Operational Limitation:

The permittee's rock crushing plant shall demonstrate that the daily impact on ambient air quality from operation of this plant does not exceed the 24-hour National Ambient Air Quality Standard (NAAQS) for PM₁₀ of 150 µg/m³ at or beyond the property boundary.

Recordkeeping:

The permittee shall maintain a daily record of material processed to demonstrate compliance with the above ambient impact limitation. The installation shall use Attachment E, Daily Ambient PM₁₀ Impact Tracking Record or other equivalent form(s) for this purpose.

⁶ *Definition:* Particulate matter—Any material, except uncombined water, that exists in a finely divided form as a liquid or solid and as specifically defined as follows: A. PM—any airborne, finely divided solid or liquid material with an aerodynamic diameter smaller than one hundred (100) micrometers as measured in the ambient air as specified in 10 CSR 10-6.040(4)(B); and B. PM₁₀—particulate matter with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers as measured in the ambient air as specified in 10 CSR 10-6.040(4)(J); and C. PM_{2.5}—particulate matter with an aerodynamic diameter less than or equal to a nominal two and one-half (2.5) micrometers including the filterable component as measured in the ambient air as specified in 10 CSR 10-6.040(4)(L).

⁷ The total of 12 monthly totals ending with the month of interest; or, when there are less than 12 monthly totals available, the total of the monthly totals for the complete months available divided by 12.

PW05 Permit Condition

10 CSR 10-6.060 Construction Permits Required, Construction Permit 052002-024A, Special Condition 5.

Operational Limitation:

The installation shall control the emission of PM₁₀ from the vehicular activity areas of the storage piles at this site by consistently and correctly using the application of a water spray on these sources. This periodic watering shall be applied whenever conditions exist that would allow visible⁸ fugitive emissions from these sources to enter the ambient air beyond the property boundaries.

PW06⁹ Permit Condition

10 CSR 10-6.060 Construction Permits Required, Construction Permit 052002-024A, Special Condition 6.A. and 6.C.

Operational Limitation:

The installation shall provide 90% control efficiency to all haul roads/storage pile vehicular traffic areas by applying either documented watering or chemical dust suppressant. Special conditions for documented watering and chemical dust suppressant are as follows:

1. The water application rate shall be 126 gallons per 1000 square feet at least once every four (4) hours for the pit haul road.
2. The water application rate shall be 283 gallons per 1000 square feet at least once every four (4) hours for the product haul road.
3. The water application rate shall be 159 gallons per 1000 square feet at least once every four (4) hours for the stockpiles haul road.
4. Water/surfactant application shall not be required when the ground is frozen or when there will be no traffic on the roads.

Monitoring:

The installation shall keep the following records, on site:

1. The estimated surface area of the unpaved haul roads;
2. The time, date and the approximate amount of water applied for each application on the above sources;
3. A notation that there was a quarter inch or greater amount of rainfall within the preceding 24 hours that shall substitute for one daily water application;
4. A notation that the installation was not in operation during the preceding 24-hour period or if watering is suspended during periods of freezing conditions when watering the haul roads would be inadvisable for traffic safety reasons; and
5. Records of watering equipment breakdowns and repairs.

⁸ The “visible” emissions wording associated with the wet suppression system permit condition should be interpreted to mean that the APCP would not expect to see a significant amount of visible emissions being emitted from these sources. The APCP does not interpret the “visible” emissions language in this permit to mean that there would never be any visible emissions from these sources.

⁹ The permittee is authorized to make changes among alternative operating scenarios without notice, but shall contemporaneously when changing between PW06 and PW07, record in a log at the permitted installation the scenario under which they are operating.

PW07¹⁰ Permit Condition

10 CSR 10-6.065 Operating Permits (5)(1)1.C. Reasonably anticipated operating scenarios
(alternative to PW06 Permit Condition)

10 CSR 10-6.060 Construction Permits Required, Construction Permit 052002-024A, Special
Condition 6.B. and 6.C.

Operational Limitation:

1. The permittee shall control the emission of PM₁₀ from the unpaved haul roads by the application of a chemical dust suppressant agent. The permittee shall apply this chemical dust suppressant, as necessary, to maintain the high level of PM₁₀ emissions control (i.e. 90%) predicted for these sources whenever conditions exist that would allow the “appreciable visible emission” of particulate matter to occur from the surface of the unpaved roads.
2. The chemical dust suppressant agent shall be applied to the above fugitive emission sources at the manufacturer’s recommended application rate (i.e. at least 0.5 gallons per square yard of surface area) for the specific dust control agent (i.e. Magnesium Chloride or Calcium Chloride) to be used at this site.
3. If the permittee desires to use an alternate chemical dust suppressant agent, then the permittee shall submit this request in writing to the Missouri Air Pollution Control Program’s Enforcement Section for approval. Upon Air Pollution Control Program approval, this alternate chemical dust suppressant agent may be used and it shall also be applied to the above fugitive emission sources at the manufacturer’s recommended dosage rate for this new material. The permittee shall also keep a record of the manufacturer’s recommended dosage rate for this new chemical dust suppressant agent with the plant.
4. The permittee shall conduct and record the results of periodic visual inspections on the unpaved roads controlled by a chemical dust suppressant agent(s). This visual inspection(s) shall examine and note the condition of the road surface(s) especially for signs of wear (i.e. surface potholes, washboarding, ruts, etc.) to help determine the effectiveness of the dust control agent(s) being used and when the material needs to be reapplied to maintain the high level of control efficiency predicted for the above sources.
5. Water/surfactant application shall not be required when the ground is frozen or when there will be no traffic on the roads.

Monitoring:

The permittee shall keep the following records:

1. The estimated surface area of the unpaved haul roads;
2. The time, date and the approximate amount of material applied for each application of the chemical dust suppressant agent on the above sources; and
3. Record of breakdowns and repairs for the equipment used to apply the chemical dust suppressant agent.

¹⁰ The permittee is authorized to make changes among alternative operating scenarios without notice, but shall contemporaneously when changing between PW06 and PW07, record in a log at the permitted installation the scenario under which they are operating.

PW08 Permit Condition

10 CSR 10-6.060 Construction Permits Required, Construction Permit 052002-024A, Special Condition 7.

Operational Limitation:

The permittee will demonstrate that the moisture content of the processed rock is greater than or equal to 1.5% by weight. The permittee shall conduct periodic moisture content tests in order to substantiate continued compliance with this moisture content of the processed rock, while the installation is operating at this site. If two (2) consecutive series of test results indicate the final moisture content of the rock is less than 1.5% by weight, the permittee will immediately submit a construction permit application or construction permit amendment to account for new circumstances (increased emissions).

Monitoring:

The permittee shall conduct at least two (2) tests between April and September each calendar year while the installation is operated at this site or on an alternate schedule, if requested by the permittee and approved by the Director. The permittee shall conduct all moisture content test(s) in accordance with the test methods and procedures prescribed in the American Society for Testing Materials (ASTM), Designation D-2216 Standard Test Methods for Laboratory Determination of Water (moisture) Content of Soil or Rock, ASTM C-566, Standard Test Method for Total Moisture Content of Aggregate by Drying or other moisture content testing method(s) approved by the Director. Rock samples shall be obtained from a piece of equipment prior to the primary emission unit and from a storage pile(s) or an alternative location as approved by the Director. The date on which the test samples are to be obtained must be prearranged with the Air Pollution Control Program a minimum of 30 days prior to the proposed sample date to assure that the date is acceptable for an observer to be present (if necessary).

Reporting:

Two (2) copies of a written report of the moisture content test shall be submitted to the Director within 30 days of completion of the required tests and shall include the wet weight, dry weight, drying time and moisture content of each rock sample, the test date and the name of the testing facility performing the moisture content analysis. The permittee shall maintain a record of the above testing information at the site.

PW09 Permit Condition

10 CSR 10-6.060 Construction Permits Required, Construction Permit 052002-024A, Special Condition 8.

Operational Limitation:

The permittee is prohibited from operating this plant concurrently with any other plant at this site until an evaluation is done and approval given by the Air Pollution Control Program.

PW10 Permit Condition

10 CSR 10-6.060 Construction Permits Required, Construction Permit 052002-024A, Special Condition 9.

Operational Limitation:

The permittee shall be located at least 1,550 feet from the nearest property boundary whenever this plant is being operated at this site.

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.

General Plant Group	
Emission Unit	Description
Refer to Attachment G for a listing of approved equipment showing: Company Number, Description, Serial Number, Manufacturer, Maximum Rated Capacity and applicability of 40 CFR Part 60 Subpart 000 (“000”).	

<p>General Plant Group Permit Condition 1 10 CSR 10-6.060 Construction Permits Required, Construction Permit 052002-024A, Special Condition 2.A.</p>
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Operational Limitation:

The combined Maximum Hourly Design Rate (MHDR) for the primary unit(s) and each of the following generic equipment types shall not exceed the maximum installation capacities listed below at any time and/or site location while the installation is being operated.

Equipment Type	Maximum Combined Hourly Design Rate Capacity (tons per hour)
Crusher(s) including primary crusher	2,168.4
Screen(s)	3,758.56
Conveyor(s) and Storage Bin(s)	18,853.96

Recordkeeping:

The permittee will record the total MHDR for each piece of equipment in operation according to the appropriate *Equipment Type* in order to demonstrate that the *Maximum Combined Hourly Design Rate Capacity* for each *Equipment Type* is not exceeded.

Group Crushers
Fugitive Emissions

Emission Point	Emission Point Description	Equipment Number, Equipment Description, Mfgr
Refer to Attachment G for a listing of approved equipment showing: Company Number, Description, Serial Number, Manufacturer, Maximum Rated Capacity and applicability of 40 CFR Part 60 Subpart 000 (“000”).		

Group Crushers¹¹ Permit Condition 1
10 CSR 10-6.070 New Source Performance Regulations
40 CFR Part 60 Subpart 000
Standards of Performance for Nonmetallic Mineral Processing Plants

Emission Limitation:

The permittee must also meet an opacity limit of fifteen (15%) percent.

Recordkeeping and Reporting [§60.670 and §60.676]:

§60.670 (d)

1. When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions of §§60.672, 60.674, and 60.675 except as provided for in paragraph (d)(3) of this section.
2. An owner or operator complying with paragraph (d)(1) of this section shall submit the information required in §60.676(a).
3. An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in paragraph (d)(1) of this section and must comply with the provisions of §§60.672, 60.674 and 60.675.

§60.676 (a) Each owner or operator seeking to comply with §60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

1. For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:
 - a) The rated capacity in megagrams or tons per hour of the existing facility being replaced and
 - b) The rated capacity in tons per hour of the replacement equipment.
2. For a screening operation:
 - a) The total surface area of the top screen of the existing screening operation being replaced and
 - b) The total surface area of the top screen of the replacement screening operation.
3. For a conveyor belt:
 - a) The width of the existing belt being replaced and
 - b) The width of the replacement conveyor belt.
4. For a storage bin:
 - a) The rated capacity in megagrams or tons of the existing storage bin being replaced and
 - b) The rated capacity in megagrams or tons of replacement storage bins.

¹¹ This condition applies to the crushers in Attachment G that are flagged as subject to NSPS “000”.

Group Crushers¹² Permit Condition 2

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

Emission Limitation:

The permittee shall not discharge into the atmosphere from this group any visible emissions in excess of twenty percent (20%).¹³

Group Transfer Points
 fugitive emissions

Emission Point	Emission Point Description	Equipment Number, Equipment Description, Mfgr
Refer to Attachment G for a listing of approved equipment showing: Company Number, Description, Serial Number, Manufacturer, Maximum Rated Capacity and applicability of 40 CFR Part 60 Subpart OOO (“OOO”).		

Group Transfer¹⁴ Points Permit Condition 1

10 CSR 10-6.070 New Source Performance Regulations

40 CFR Part 60 Subpart OOO

Standards of Performance for Nonmetallic Mineral Processing Plants

Emission Limitation:

The permittee must also meet an opacity limit of ten (10%) percent.

Recordkeeping and Reporting [§60.670 and §60.676]:

§60.670 (d)

1. When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions of §§60.672, 60.674, and 60.675 except as provided for in paragraph (d)(3) of this section.
2. An owner or operator complying with paragraph (d)(1) of this section shall submit the information required in §60.676(a).
3. An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in paragraph (d)(1) of this section and must comply with the provisions of §§60.672, 60.674 and 60.675.

§60.676 (a) Each owner or operator seeking to comply with §60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

1. For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:
 - a) The rated capacity in megagrams or tons per hour of the existing facility being replaced and
 - b) The rated capacity in tons per hour of the replacement equipment.

¹² This condition applies to the crushers in Attachment G that are flagged as **not** subject to NSPS “OOO”.

¹³ Refer to *Core Requirement* 10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants, page 20, for monitoring, record keeping and reporting.

¹⁴ This condition applies to the transfer points in Attachment G that are flagged as subject to NSPS “OOO”.

2. For a screening operation:
 - a) The total surface area of the top screen of the existing screening operation being replaced and
 - b) The total surface area of the top screen of the replacement screening operation.
3. For a conveyor belt:
 - a) The width of the existing belt being replaced and
 - b) The width of the replacement conveyor belt.
4. For a storage bin:
 - a) The rated capacity in megagrams or tons of the existing storage bin being replaced and
 - b) The rated capacity in megagrams or tons of replacement storage bins.

Group Transfer¹⁵ Points Permit Condition 2

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

Emission Limitation:

The permittee shall not discharge into the atmosphere from this group any visible emissions in excess of twenty percent (20%).¹⁶

¹⁵ This condition applies to the transfer points in Attachment G that are flagged as **not** subject to NSPS “OOO”.

¹⁶ Refer to *Core Requirement* 10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants, page 20, for monitoring, record keeping and reporting.

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) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
 - (A) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
 1. Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
 2. Springfield-Greene County area. The open burning of household refuse must take place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District;
 3. St. Joseph area. The open burning of household refuse must take place within an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of St. Joseph; and
 4. St. Louis metropolitan area. The open burning of household refuse is prohibited;
 - (B) Yard waste, with the following exceptions:
 1. Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
 2. Springfield-Greene County area. The City of Springfield requires an open burning permit for the open burning of trees, brush or any other type of vegetation. The City of Springfield prohibits the open burning of tree leaves;
 3. St. Joseph area. Within the corporate limits of St. Joseph, the open burning of trees, tree leaves, brush or any other type of vegetation grown on a residential property is allowed during the following calendar periods and time-of-day restrictions:
 - A. A three (3)-week period within the period commencing the first day of March through April 30 and continuing for twenty-one (21) consecutive calendar days;
 - B. A three (3)-week period within the period commencing the first day of October through November 30 and continuing for twenty-one (21) consecutive calendar days;
 - C. The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and,
 - D. In each instance, the twenty-one (21)-day burning period shall be determined by the Director of Public Health and Welfare of the City of St. Joseph for the region in which

the City of St. Joseph is located provided, however, the burning period first shall receive the approval of the Department Director; and

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

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the Director within two business days, in writing, the following information:
 - a) Name and location of installation;
 - b) Name and telephone number of person responsible for the installation;
 - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
 - d) Identity of the equipment causing the excess emissions;
 - e) Time and duration of the period of excess emissions;
 - f) Cause of the excess emissions;

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

10 CSR 10-6.060 Construction Permits Required

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

10 CSR 10-6.065 Operating Permits

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

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

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) in accordance with the requirements outlined in this rule.
- 2) The permittee may be required by the Director to file additional reports.
- 3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 4) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079.
- 5) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the Emissions Inventory Questionnaire (EIQ) form or equivalent approved by the Director.
- 6) The permittee shall complete required reports on state supplied EIQ forms or in a form satisfactory to the Director and the reports shall be submitted to the Director by June 1 after the end of each reporting period.
- 7) 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.
- 8) 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 A, or its equivalent, noting the following:

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

10 CSR 10-6.180 Measurement of Emissions of Air Contaminants

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

10 CSR 10-2.070 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.

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

Emission Limitation:

No owner or other person shall cause or permit to be discharged into the atmosphere from any source any visible emissions in excess of the limits specified by this rule. This permit will contain the opacity limits identified (10, 20 or 40 percent) for the specific emission units.

Monitoring:

- 1) The permittee shall conduct opacity readings on each emission unit using the procedures contained in U.S. EPA Test Method 22. The permittee is only required to take readings when the emission unit is operating and when the weather conditions allow. If the permittee observes no visible or other significant emissions using these procedures, then no further observations are required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a Method 9 observation.
- 2) The permittee must maintain the following monitoring schedule:
 - a) The permittee shall conduct weekly observations for a minimum of eight (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.

Recordkeeping:

The permittee shall maintain records of all observation results using Attachment B (or its 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.

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
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- 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's 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's 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 written notice of the change to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, no later than the next annual emissions report. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change; and
 - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes.

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

The application utilized in the preparation of this permit was signed by Richard Kaler, Vice President - General Manager. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

10 CSR 10-6.065 §(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) The Missouri Department of Natural Resources or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

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

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

VI. Attachments

Attachments follow.

Attachment C

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

Readings ranged from _____ to _____ % opacity.

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

Attachment F
 12-Month Period PM₁₀ Compliance Record Keeping

Records for Month: _____

Emission Unit	Description	Monthly Throughput (in Unit of Measure)	Unit of Measure	Emission Factor (pounds per unit of measure)	Monthly Emissions (tons)
2A-1	PRIMARY CRUSHING		tons	0.00054	
2A-2	SECONDARY CRUSHING		tons	0.00054	
2B	SCREENING		tons	0.00074	
2C	STORAGE BINS		tons	0.000046	
2F	CONVEYING		tons	0.000046	
2I-1	DRILLING		tons	0.00008	
2I-5	BLASTING		tons	0.00008	
2J-1	PIT HAULING/STOCKPILE HAULING		miles	0.28968	
2J-2	SALES ROAD HAULING		miles	0.24644	
2K	OPEN STORAGE		tons	0.02140	
2K	OPEN STORAGE		acres	42.7998	
2L-1	TRUCK LOADING		tons	0.000016	
2L-2	TRUCK UNLOADING		tons	0.000016	
Total Monthly Emissions (tons)					
Sum of the 11 previous "Total Monthly Emissions (tons)"					
Sum of this "Total Monthly Emissions (tons)" and the "Sum of the 11 previous Total Monthly Emissions (tons)"					¹⁸

¹⁸ A sum of less than 100 tons in this cell indicates compliance with permit condition PW01.

Attachment G
 Approved Equipment Listing for Peculiar Quarry

Company Number	Description	Serial Number	Manufacturer	Max. Rated Capacity	"OOO" (yes/no)
20361	Bin		Shop built	50 ton	No
20652	Bin		Shop built	40 ton	Yes
20948	Bin (removed from site)		Shop built	30ton	N/A
21028	Bin (removed from site)		Shop built	20 ton	N/A
28021	hopper dump		shop built	50 ton	No
28022	hopper surge		Shop built	50 ton	No
28023	Bin loadout #1		shop built	40 ton	No
28024	bin loadout #2		portec	30 ton	No
28025	bin loadout #3		portec	30 ton	No
28026	bin loadout #4		shop built	30 ton	No
28027	bin loadout #5		Shop built	30 ton	No
28028	bin loadout #6		shop built	25 ton	No
28029	bin loadout #7		shop built	20 ton	No
28030	bin loadout #8		shop built	30 ton	No
28031	bin loadout #9		Shop built	30 ton	No
28033	bin loadout #10		shop built	30 ton	No
41248	conveyor #1 radial 30x80		Shop built	400tph	Yes
44073	conveyor wash 30x390		Shop built	550 tph	No
44642	conveyor30x80		Concorp	400 tph	Yes
46240	conveyor 36x20		Shop built	450 tph	Yes
46241	conveyor36x40		Shop built	450tph	No
46242	conveyor 36x40		Shop built	400 tph	No
46243	conveyor 36x40		Shop built	400 tph	No
46244	conveyor36x260		Shop built	600 tph	No
46245	conveyor36x25		Shop built	600 tph	Yes
46246	conveyor 36x275		Shop built	500 tph	Yes
46674	conveyor30x60	404585	astec	400 tph	Yes
46677	conveyor30x60	404583	astec	400tph	Yes
46693	conveyor30x60	404584	astec	400tph	Yes
48046	conveyor60x30		Shop built	550 tph	No
48047	conveyor48x80		Shop built	900 tph	No
48049	conveyor48x100		sesco	900 tph	Yes
48050	conveyor30x50		sesco	350 tph	No
48051	conveyor30x30		sesco	350 tph	No

Company Number	Description	Serial Number	Manufacturer	Max. Rated Capacity	"OOO" (yes/no)
48052	conveyor30x30		sesco	350 tph	No
48053	conveyor30x60		sesco	350tph	No
48054	conveyor36x70		sesco	700tph	No
48055	conveyor30x80		Shop built	700 tph	No
48056	conveyor24x20		Shop built	300 tph	No
48057	conveyor30x100		Shop built	600tph	No
48058	conveyor24x20		Shop built	300 tph	No
48059	conveyor24x40		Shop built	350 tph	No
48060	conveyor24x20		sesco	350 tph	No
48061	conveyor48x20		Shop built	600 tph	No
48062	conveyor36x40		Shop built	500tph	No
48063	conveyor24x35		Shop built	400tph	No
48064	conveyor24x30		Shop built	350 tph	No
48065	conveyor24x30		Shop built	450 tph	No
48066	conveyor36x100		sesco	450 tph	No
48067	conveyor48x24		sesco	350 tph	No
48068	conveyor24x20		Shop built	350 tph	No
54014	crusher-impact	19647	Cedarapids	500 tph	No
54068 050612	crusher-roll	14475 112	Pioneer	400 tph	No
58005	crusher-impact	38696	Cedarapids	1000 tph	No
58006	crusher	23E0579	EI-Jay	300 tph	No
98003	feeder-grizzly 42x20	38697	Cedarapids	900 tph	No
98004	feeder-surge		Syntron	900 tph	No
140963	screen - 3D 5x16	516232BG576	Pioneer	500 tph	Yes
141429	screen - 3D 8x20	920286	Deister	800 tph	Yes
148004	screen - 3D 8x20	105	Simplicity	800 tph	No
148005	screen - 3D 8x20	BG-109	Pioneer	800 tph	No
148009	screen - 3D 8x24	368409	Deister	900 tph	Yes
141531 141596	screen-PEP	62475	astec	350 tph	Yes
46680	conveyor - w/PEP 36x30		superior	350 tph	Yes
	conveyor - 7A 30x15		Shop built	350tph	Yes
	conveyor- 17A 24x15		Shop built	300 tph	Yes
	conveyor - 23 24x32		Shop built	350 tph	Yes
	conveyor-north feed 60x60		shop built	800 tph	Yes
	conveyor - east feed 30x87		shop built	500 tph	Yes
WASH PLANT					

Company Number	Description	Serial Number	Manufacturer	Max. Rated Capacity	"OOO" (yes/no)
014374	conveyor - screen feed 30x15		cedar rapids	400 tph	No
047205	conveyor - east discharge 42x30		shop built	450 tph	Yes
044622	conveyor - sand stacker 30x75		shop built	400 tph	No
42361	conveyor-36x20			400 tph	No
40526	conveyor36x140		thor aggregates	500 tph	Yes
120206	sand screw- single 54x34	12197	Eagle Iron Works	500 tph	Exempt Equipment Type
120519	pugmill36x86		Eagle Iron Works	400 tph	Exempt Equipment Type
144238	screen - 3D 6x20	3620-HS140D-1544	Simplicity	400 tph	Exempt Equipment Type

STATEMENT OF BASIS

Voluntary Limitations

In order to qualify for this Intermediate State Operating Permit, the permittee has accepted voluntary, federally enforceable emission limitations. According to 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) *Part 70 Operating Permits* 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 December 19, 2006; complete March 26, 2007; and,
- 2) 2009 Emissions Inventory Questionnaire; and,
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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

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

None

Other Air Regulations Determined Not to Apply to the Operating Permit

The Air Pollution Control Program (APCP) has determined 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 Revisions

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

052002-024A¹⁹: Project Number: 2002-06-060

Insignificant wording changes were made to improve readability or correct spelling. Some elements that were listed in the construction permit as "emission limitations" are now listed, appropriately, as monitoring, record keeping or reporting.

¹⁹ This construction permit superseded all previously issued construction permits.

New Source Performance Standards (NSPS) Applicability

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

The installation has several pieces of equipment subject to these standards. The equipment for the installation is identified in Attachment G.

Maximum Achievable Control Technology (MACT) Applicability

None

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

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

None

Other Regulatory Determinations

None

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

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

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

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

Prepared by:

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Environmental Engineer