



PART 70 PERMIT TO OPERATE

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

Operating Permit Number: OP2010-031
Expiration Date: APR 08 2015
Installation ID: 161-0054
Project Number: 2004-01-072

Installation Name and Address

Rolla Municipal Utilities
P.O. Box 767
Rolla, MO 65402
Phelps County

Parent Company's Name and Address

Rolla Municipal Utilities
P.O. Box 767
Rolla, MO 65402

Installation Description:

Rolla Municipal Utilities operates seventeen (17) diesel fired electrical power generators and seventeen (17) 1,250-gallon diesel storage tanks at seven (7) substations within the city limits of Rolla, Missouri. For permitting purposes, all seven substations are considered as one installation. The facility is considered a major source of Particulate Matter ≤ 10 Microns (PM_{10}), Sulfur Oxides (SO_x), Nitrogen Oxides (NO_x), and Volatile Organic Compounds (VOC).

APR 09 2010

Effective Date

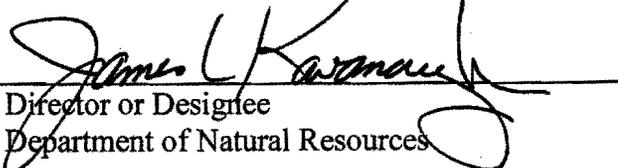

Director or Designee
Department of Natural Resources

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Rolla Municipal Utilities operates seventeen (17) diesel fired electrical power generators and seventeen (17) 1,250-gallon diesel storage tanks at seven (7) substations within the city limits of Rolla, Missouri. For permitting purposes, all seven substations are considered as one installation. The facility is considered a major source of Particulate Matter ≤ 10 Microns (PM_{10}), Sulfur Oxides (SO_x), Nitrogen Oxides (NO_x), and Volatile Organic Compounds (VOC).

Reported Air Pollutant Emissions, tons per year					
Year	Particulate Matter \leq Ten Microns (PM_{10})	Sulfur Oxides (SO_x)	Nitrogen Oxides (NO_x)	Volatile Organic Compounds (VOC)	Carbon Monoxide (CO)
2008	0.01	0.01	0.44	0.02	0.01
2007	0.12	0.26	4.19	0.18	0.11
2006	0.22	0.47	7.58	0.32	0.19
2005	0.55	1.15	18.57	0.79	0.47
2004	0.05	0.11	1.82	0.08	0.05

EMISSION UNITS WITH LIMITATIONS

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

Emission Unit #	Description of Emission Unit	2008 EIQ Reference #
EU0010	Olive Substation Generator #1	EP-SUB01
EU0020	Olive Substation Generator #2	EP-SUB02
EU0030	Olive Substation Generator #3	EP-SUB03
EU0040	Olive Substation Generator #4	EP-SUB04
EU0050	Sheron Substation Generator #1	EP-SUB05
EU0060	Sheron Substation Generator #2	EP-SUB06
EU0070	Lanning Substation Generator #1	EP-SUB07
EU0080	Lanning Substation Generator #2	EP-SUB08
EU0090	Dewing Substation Generator #1	EP-SUB09
EU0100	Dewing Substation Generator #2	EP-SUB10
EU0110	Industrial Park Substation Generator #1	EP-SUB11
EU0120	Industrial Park Substation Generator #2	EP-SUB12
EU0130	Grove Substation Generator #1	EP-SUB13
EU0140	Grove Substation Generator #2	EP-SUB14
EU0150	Hospital Substation Generator #1	EP-SUB15
EU0160	Hospital Substation Generator #2	EP-SUB16
EU0170	Hospital Substation Generator #3	EP-SUB17

EMISSION UNITS WITHOUT LIMITATIONS

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

Description of Emission Source

Seventeen 1,250-gallon diesel fuel storage tanks

DOCUMENTS INCORPORATED BY REFERENCE

These documents have been incorporated by reference into this permit.

- 1) Missouri Department of Natural Resources Construction Permit 122003-001, issued November 14, 2003

II. Plant Wide Emission Limitations

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

None

III. Emission Unit Specific Emission Limitations

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

(EU0010 through EU0170) – SUBSTATION GENERATORS			
Emission Unit	Description	Manufacturer/ Model #	2008 EIQ Reference #
EU0010	Olive Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB01
EU0020	Olive Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB02
EU0030	Olive Substation Generator #3: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB03
EU0040	Olive Substation Generator #4: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB04
EU0050	Sheron Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB05
EU0060	Sheron Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB06
EU0070	Lanning Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB07
EU0080	Lanning Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB08
EU0090	Dewing Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB09
EU0100	Dewing Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB10
EU0110	Industrial Park Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB11
EU0120	Industrial Park Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB12
EU0130	Grove Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB13
EU0140	Grove Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2001	Caterpillar/ 3516B	EP-SUB14
EU0150	Hospital Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2003	Caterpillar/ 3516B	EP-SUB15
EU0160	Hospital Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2003	Caterpillar/ 3516B	EP-SUB16
EU0170	Hospital Substation Generator #3: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr; installation date 2003	Caterpillar/ 3516B	EP-SUB17

PERMIT CONDITION (EU0010 through EU0170)-001
 10 CSR 10-6.060 Construction Permits Required
 MDNR Construction Permit 122003-001, Issued November 14, 2003

Emission Limitation:

Rolla Municipal Utilities shall emit less than 250 tons of NO_x from the entire installation (all diesel engine generators EU0010 through EU0170) located as specified in Table 1 of this permit condition in any consecutive 12-month period. [CP 122003-001, Special Condition 2.A]

Operational Specifications:

- 1) Rolla Municipal Utilities shall locate all of the 17 diesel fuel engine generators at the respective seven substations as provided in Table 1 and maintain the minimum distance required to the nearest property boundary as specified in Table 2. [CP 122003-001, Special Condition 3]

Table 1: Summary of Rolla Municipal Generator Sites

Emission Unit	Substation	Location	Legal Description
EU0010 through EU0040	Olive	Intersection of Olive Street with 8 th Street (Exhibit 3 of the Application)	Section 11, T37N, R8W
EU0050 and EU0060	Sheron	Hutchinson Drive (Exhibit 4 of the Application)	Section 12, T37N, R8W
EU0070 and EU0080	Lanning	Lanning Lane (Exhibit 5 of the Application)	Section 14, T37N, R8W
EU0090 and EU0100	Dewing	Dewing Lane - Phelps Co Rd 3160 (Exhibit 6 of the Application)	Section 19, T38N, R7W
EU0110 and EU0120	Industrial Park	Industrial Park Drive (Exhibit 7 of the Application)	Section 31, T38N, R7W
EU0130 and EU0140	Grove	HY Point Boulevard (Exhibit 8 of the Application)	Section 29, T38N, R7W
EU0150 through EU0170	Hospital	NW Corner of 11 th and Duane	Section 3, T37N, R8W

Table 2: Substation Distance to Nearest Property

Emission Unit	Substation	Distance to Nearest Property
EU0010 through EU0040	Olive	13.5
EU0050 and EU0060	Sheron	131
EU0070 and EU0080	Lanning	23
EU0090 and EU0100	Dewing	115
EU0110 and EU0120	Industrial Park	42
EU0130 and EU0140	Grove	31
EU0150 through EU0170	Hospital	139

Monitoring/Recordkeeping:

- 1) Rolla Municipal Utilities shall maintain accurate records of NO_x emitted into the atmosphere from the entire installation. Attachments A, B, C, D, E, F, G, and H or equivalent forms approved by the Air Pollution Control Program shall be used to demonstrate compliance with the Emission Limitation. [CP 122003-001, Special Condition 2.B]
- 2) Rolla Municipal Utilities shall maintain all records required by this permit for not less than five (5) years and shall make them available immediately to any Missouri Department of Natural Resources' personnel upon request. [CP 122003-001, Special Condition 2.B]

Reporting:

- 1) Rolla Municipal Utilities shall report to the Air Pollution Control Program’s Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102, no later than ten (10) days after the end of the month during which the records indicate that the source exceeds the Emission Limitation. [CP 122003-001, Special Condition 2.C]
- 2) The permittee shall report any deviations from the emission limitation, operational specifications, monitoring/recordkeeping, and reporting requirements of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program’s Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

PERMIT CONDITION (EU0010 through EU0170)-002
10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds

Emission Limitation:

- 1) Emissions from any new source operation shall not contain more than five hundred parts per million by volume (500 ppmv) of sulfur dioxide.
- 2) 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) No person shall cause or permit the emission of sulfur compounds from any source which causes or contributes to concentrations exceeding those specified in 10 CSR 10-6.010 Ambient Air Quality Standards.

Pollutant	Concentration by Volume	Remarks
Sulfur Dioxide (SO ₂)	0.03 parts per million (ppm) (80 micrograms per cubic meter (µg/m ³))	Annual arithmetic mean
	0.14 ppm (365 µg/m ³)	24-hour average not to be exceeded more than once per year
	0.5 ppm (1300 µg/m ³)	3-hour average not to be exceeded more than once per year
Hydrogen Sulfide (H ₂ S)	0.05 ppm (70 µg/m ³)	½-hour average not to be exceeded over 2 times per year
	0.03 ppm (42 µg/m ³)	½-hour average not to be exceeded over 2 times in any 5 consecutive days
Sulfuric Acid (H ₂ SO ₄)	10 µg/m ³	24-hour average not to be exceeded more than once in any 90 consecutive days
	30 µg/m ³	1-hour average not to be exceeded more than once in any 2 consecutive days

Operational Limitation:

The emission unit shall be limited to burning diesel.

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) All records shall be maintained for five (5) years and shall be made available immediately for inspection to the Department of Natural Resources' personnel upon their verbal request and presentation of identification.

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 (10) days after the permittee determined that the emission units exceeded the emission limitations.
- 2) The permittee shall report any deviations from the emission limitation, operational limitation, monitoring/recordkeeping, and reporting requirements of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

<p align="center">PERMIT CONDITION (EU0010 through EU0170)-003 10 CSR 10-6.270 Acid Rain Source Permits Required</p>

Note: This permit condition includes the requirements needed to maintain compliance with the "New Units Exemption" under 40 CFR Part 72.7.

Operational Limitations:

- 1) The generators (EU0010 through EU0170) shall be limited to burning diesel with an annual average sulfur content of 0.05 percent or less by weight. [§72.7(a)(3)]
- 2) The generators (EU0010 through EU0170) shall be exempt from the Acid Rain Program, except for the provisions of §§72.2 through 72.7, and §§72.10 through 72.13. [§72.7(b)(1)]

Monitoring:

- 1) Compliance with the requirement that fuel burned during the year have an annual average sulfur content of 0.05 percent by weight or less shall be determined as follows using a method of determining sulfur content that provides information with reasonable precision, reliability, accessibility, and timeliness: [§72.7(d)]
 - a) For fuel oil burned during the year, the requirement is met if the annual average sulfur content is equal to or less than 0.05 percent by weight. The annual average sulfur content, as a percentage by weight, shall be calculated using the equation: [§72.7(d)(3)]

$$\%S_{\text{annual}} = \frac{\sum_{n=1}^{\text{last}} \%SM_n}{\sum_{n=1}^{\text{last}} M_n}$$

where:

$\%S_{\text{annual}}$ = annual average sulfur content of the fuel burned during the year by the unit, as a percentage by weight;

$\%S_n$ = sulfur content of the nth sample of the fuel delivered during the year to the installation, as a percentage by weight;

M_n = mass of the nongaseous fuel in a delivery during the year to the installation of which the nth sample is taken, in lb;

n = each sample taken of the fuel delivered during the year to the unit, taken at least once for each delivery to the installation.

- 2) *Special Provisions:* The permittee, and to the extent applicable, the designated representative of the units shall: [§72.7(f)(1)]
 - a) Comply with the requirements of burning diesel with an annual average sulfur content of 0.05 percent or less by weight for all periods for which the units are exempt; and [§72.7(f)(1)(i)]
 - b) Comply with the requirements of the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect. [§72.7(f)(1)(ii)]
- 3) *Loss of exemption:* On the earliest of the following dates, a unit shall lose its exemption and shall be treated as an affected unit under the Acid Rain Program: [§72.7(f)(4)(i)]
 - a) The date on which the unit first serves one or more generators with total nameplate capacity in excess of 25 MWe; [§72.7(f)(4)(i)(A)]
 - b) The date on which the unit burns any coal or coal-derived fuel except for coal-derived gaseous fuel with a total sulfur content no greater than natural gas; or [§72.7(f)(4)(i)(B)]
 - c) January 1 of the year following the year in which the unit burns a gaseous fuel other than natural gas or the annual average sulfur content for diesel burned at the unit exceeds 0.05 percent by weight. [§72.7(f)(4)(i)(C)]

Recordkeeping:

- 1) For a period of 5 years from the date the records are created, the permittee shall retain records demonstrating that the requirements of this permit condition are met. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the Director. [§72.7(f)(3)]
 - a) Such records shall include, for each delivery of fuel to the installation, the type of fuel, the sulfur content, and the sulfur content of each sample taken. [§72.7(f)(3)(i)]
 - b) The permittee shall bear the burden of proof that the requirements of this permit condition are met. [§72.7(f)(3)(ii)]

Reporting:

- 1) The designated representative for a unit that loses its exemption shall submit a complete Acid Rain permit application 60 days after the first date on which the unit is no longer exempt, notwithstanding §72.30(b) and (c). [§72.7(f)(4)(ii)]
- 2) The permittee shall report any deviations/exceedances from operational limitations, monitoring, recordkeeping, and reporting requirements of this permit condition using the semi-annual monitoring report and annual compliance certification to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

IV. Core Permit Requirements

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

10 CSR 10-6.045 Open Burning Requirements

- (1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- (2) Refer to the regulation for a complete list of allowances. The following is a listing of exceptions to the allowances:
 - (A) Burning of household or domestic refuse. Burning of household or domestic refuse is limited to open burning on a residential premises having not more than four dwelling units, provided that the refuse originates on the same premises, with the following exceptions:
 1. Kansas City metropolitan area. The open burning of household refuse must take place in an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of Kansas City and every contiguous municipality;
 2. Springfield-Greene County area. The open burning of household refuse must take place outside the corporate limits of Springfield and only within areas zoned A-1, Agricultural District;
 3. St. Joseph area. The open burning of household refuse must take place within an area zoned for agricultural purposes and outside that portion of the metropolitan area surrounded by the corporate limits of St. Joseph; and
 4. St. Louis metropolitan area. The open burning of household refuse is prohibited;
 - (B) Yard waste, with the following exceptions:
 1. Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
 2. Springfield-Greene County area. The City of Springfield requires an open burning permit for the open burning of trees, brush or any other type of vegetation. The City of Springfield prohibits the open burning of tree leaves;
 3. St. Joseph area. Within the corporate limits of St. Joseph, the open burning of trees, tree leaves, brush or any other type of vegetation grown on a residential property is allowed during the following calendar periods and time-of-day restrictions:
 - A. A three (3)-week period within the period commencing the first day of March through April 30 and continuing for twenty-one (21) consecutive calendar days;
 - B. A three (3)-week period within the period commencing the first day of October through November 30 and continuing for twenty-one (21) consecutive calendar days;
 - C. The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
 - D. In each instance, the twenty-one (21)-day burning period shall be determined by the Director of Public Health and Welfare of the City of St. Joseph for the region in which the City of St. Joseph is located provided, however, the burning period first shall receive the approval of the Department Director; and

4. St. Louis metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation is limited to the period beginning September 16 and ending April 14 of each calendar year and limited to a total base area not to exceed sixteen (16) square feet. Any open burning shall be conducted only between the hours of 10:00 a.m. and 4:00 p.m. and is limited to areas outside of incorporated municipalities;
- (3) Certain types of materials may be open burned provided an open burning permit is obtained from the Director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.
- (4) Rolla Municipal Utilities 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 Rolla Municipal Utilities 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
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- 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(6)(B)1.A(V)] The permittee shall retain the most current operating permit issued to this installation on-site. [10 CSR 10-6.065(6)(C)1.C(II)] The permittee shall immediately make such permit available to any Missouri Department of Natural Resources personnel upon request. [10 CSR 10-6.065(6)(C)3.B]

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

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) annually.
- 2) The permittee may be required by the Director to file additional reports.
- 3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.

- 4) The permittee shall pay an annual emission fee per ton of regulated air pollutant emitted according to the schedule in the rule. This fee is an emission fee assessed under authority of RSMo. 643.079 to satisfy the requirements of the Federal Clean Air Act, Title V.
- 5) The permittee shall complete required reports on state supplied EIQ forms or in a form satisfactory to the Director and the reports shall be submitted to the Director by June 1 after the end of each reporting period.
- 6) The reporting period shall end on December 31 of each calendar year. Each report shall contain the required information for each emission unit for the twelve (12)-month period immediately preceding the end of the reporting period.
- 7) The permittee shall collect, record and maintain the information necessary to complete the required forms during each year of operation of the installation.

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

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

10 CSR 10-6.150 Circumvention

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.

- 1) Observations shall be conducted when the permittee undertakes any activity which results in fugitive particulate matter emissions that have the potential to go beyond the property line of origin.
- 2) Otherwise observations shall be conducted twice per calendar year (i.e., once per reporting period). To the extent practicable, observations shall be conducted during the January-June reporting period and during the July-December reporting period.

Recordkeeping:

The permittee shall document all readings on Attachment I, 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 10-3.090 Restriction of Emission of Odors

This requirement is not federally enforceable.

No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 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
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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(6)(C)1.B Permit Duration

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

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

- 1) Record Keeping
 - a) All required monitoring data and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report or application.
 - b) Copies of all current operating and construction permits issued to this installation shall be kept on-site for as long as the permits are in effect. Copies of these permits shall be made immediately available to any Missouri Department of Natural Resources' personnel upon request.
- 2) Reporting
 - a) All reports shall be submitted to the Air Pollution Control Program's Enforcement Section, P. O. Box 176, Jefferson City, MO 65102.
 - b) The permittee shall submit a report of all required monitoring by:
 - i) October 1st for monitoring which covers the January through June time period, and
 - ii) April 1st for monitoring which covers the July through December time period.
 - iii) Exception. Monitoring requirements which require reporting more frequently than semi annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
 - c) Each report shall identify any deviations from emission limitations, monitoring, record keeping, reporting, or any other requirements of the permit, this includes deviations or Part 64 exceedances.
 - d) Submit supplemental reports as required or as needed. Supplemental reports are required no later than ten days after any exceedance of any applicable rule, regulation or other restriction. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
 - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7.A of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.

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

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

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

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

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

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

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

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

the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 10 CSR 10-6.065(6)(C)1.

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

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

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

None

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

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
 - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
 - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
 - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
 - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to EPA Region VII, 901 North 5th Street, Kansas City, KS 66101, as well as the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102. All deviations and Part 64 exceedances and excursions must be included in the compliance certifications. The compliance certification shall include the following:
 - a) The identification of each term or condition of the permit that is the basis of the certification;
 - b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;

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

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

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

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

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

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

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

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

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

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

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

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

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

The application utilized in the preparation of this permit was signed by Dan Watkins, General Manager. On December 22, 2009, the Air Pollution Control Program was informed that Mr. Rodney Bourne, General Manager, is now the responsible official. If this person terminates employment, or is reassigned different duties such that a different person becomes the responsible person to represent and bind the installation in environmental permitting affairs, the owner or operator of this air contaminant source shall notify the Director of the Air Pollution Control Program of the change. Said notification shall be in writing and shall be submitted within 30 days of the change. The notification shall include the name and title of the new person assigned by the source owner or operator to represent and bind the installation in environmental permitting affairs. All representations, agreement to terms and conditions and covenants made by the former responsible person that were used in the establishment of limiting permit conditions on this permit will continue to be binding on the installation until such time that a revision to this permit is obtained that would change said representations, agreements and covenants.

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

This permit may be reopened for cause if:

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

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

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

VI. Attachments

Attachments follow.

Attachment H
 NO_x Compliance Tracking Record (Installation Wide)

Rolla Municipal Utilities
 Phelps County
 Project Number: 2003-10-054
 Installation ID: 161-0054
 Permit Number: OP2010-031

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

Copy this sheet as needed.

Date	Column 1	Column 2	Column 3	Column 4
		Monthly NO _x Emissions from Burning Diesel fuel at each substation (Ton)	Monthly NO _x Emissions from Burning Diesel fuel from the entire installation (Ton)	Sum of the most Recent 12 Months of NO _x Emissions from the entire installation (Ton)
	Olive			
	Sheron			
	Lanning			
	Grove			
	Industrial Park			
	Dewing			
	Hospital			
	Olive			
	Sheron			
	Lanning			
	Grove			
	Industrial Park			
	Dewing			
	Hospital			
	Olive			
	Sheron			
	Lanning			
	Grove			
	Industrial Park			
	Dewing			
	Hospital			

- Column 2 = Respective monthly NO_x emissions from burning diesel fuel at each of Olive, Sheron, Lanning, Grove, Industrial Park, Dewing, and Hospital substations and is obtained from the respective column (column 3) in each of Attachments A, B, C, D, E, and F.
- Column 3 = Sum of the combined monthly NO_x emissions from Column 2 for the entire installation (all seven substations).
- Column 4= Sum of the most recent 12 months from Column 3 not to exceed 250 ton in any consecutive 12 month period.

STATEMENT OF BASIS

Permit Reference Documents

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

- 1) Part 70 Operating Permit Application, received January 15, 2004;
- 2) 2008 Emissions Inventory Questionnaire, received February 25, 2009; 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 the following requirements to not be applicable to this installation at this time for the reasons stated.

10 CSR 10-6.100, *Alternate Emission Limits*

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

Construction Permit Revisions

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

- 1) Missouri Department of Natural Resources Construction Permit 1287-005 authorized the installation of a municipal solid waste incinerator.
 - a) The incinerator was never built for this facility, but for City of Rolla Animal Control 161-0051. Therefore, the conditions associated with this construction permit are not included in the operating permit.
- 2) Missouri Department of Natural Resources Construction Permit 012001-017 authorized the installation of fourteen (14) electrical generators (EU0010 through EU0140).
 - a) Special Conditions 1.A, 1.B, 1.C, 3.A, 3.B and 4 were superseded by Special Condition 1 of Construction Permit 012003-004. Therefore, these conditions are not included in the operating permit.
 - b) Special Conditions 2.A, 2.B, 2.C, 2.D, 2.E and 2.F relate to performance testing. In December of 2001, the permittee conducted the required stack testing. Therefore, these conditions are not included in the operating permit.
- 3) Missouri Department of Natural Resources Construction Permit 012003-004 authorized the permittee to move the Dewing Substation Generator #2 (EU0100) to the Sanitary Wastewater Treatment Plant and established permit modifications to reflect emissions data obtained during stack testing.

- a) Special Conditions 2 and 3 were superseded by Special Condition 1 of Construction Permit 122003-001. Therefore, these conditions are not included in the operating permit.
- b) Dewing Substation Generator #2 was not moved from to the Sanitary Wastewater Treatment Plant.
- 4) Missouri Department of Natural Resources Construction Permit 122003-001 authorized the installation of three (3) electrical power generators (EU0150 through EU0170).
 - a) Table 3 of this construction permit listed that the Dewing Substation Generator #2 (EU0100) was located at the Sanitary Wastewater Treatment Plant and the distance of the substation to the nearest property boundary was 87.5 feet. However, EU0100 was not moved to the Sanitary Wastewater Treatment Plant. Therefore, EU0100 is listed in the operating permit as located at the Dewing Substation and the distance of the substation to the nearest property boundary is listed as 115 feet.

New Source Performance Standards (NSPS) Applicability

- 1) 40 CFR Part 60, Subpart Kb – *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984*
This rule does not apply to the seventeen (17) storage vessels because the storage vessels' capacities are less than 75 cubic meters.
- 2) 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*
This rule does not apply to the generators (EU0010 through EU0170) because the generators were constructed before July 11, 2005.

None of the other MACT standards applies

Maximum Available Control Technology (MACT) Applicability

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

The generators (EU0010 through EU0170) are affected sources; however, the emission units have no regulatory requirements because they were constructed before June 12, 2006 and are located at an area source for HAP.

None of the other MACT standards applies.

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 of the other NESHAP standards applies.

Compliance Assurance Monitoring (CAM) Applicability

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

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

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

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

Other Regulatory Determinations

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

This rule does not apply to the generators (EU0010 through EU0170) because according to §(1)(A), internal combustion engines operated outside of the Kansas City and St. Louis metropolitan areas are exempt.

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

This rule applies to the generators (EU0010 through EU0170). The calculations below demonstrate that these units will be in compliance with this rule.

General Equation

$$\text{ppmv } SO_2 = \frac{SO_2 \text{ Emission Factor (lb/MMBtu)} \div F \text{ factor (wscf/MMBtu)} \div \text{Conversion Factor (lb/scf)} \times \text{Conversion Factor (ppmv/ppmw)}}{\text{Conversion Factor (ppmv/ppmw)}}$$

Where:

- All of the sulfur in the fuel is converted to SO_2 emissions.
- For generators > 600 hp: SO_2 emission factor is 1.01S lb/MMBtu. [EPA AP-42, Table 3.4-1]
- Assume S = 0.05
- The F factor is the ratio of gas volume of products of combustion to the heat content of the fuel. For fuel oil, the F factor is 10,320 wscf/MMBtu. [40 CFR Part 60 Appendix A Method 19 Table 19-2]
- Conversion factor = $1.660E-7$ lb/scf per ppm. [40 CFR Part 60 Appendix A Method 19, Table 19-1]
- Conversion factor for ppmw to ppmv = $28.8/MW = 28.8/64 = 0.45$ [EPA AP-42, App A]

Calculation

$$\text{ppmv } SO_2 = \frac{1.01(0.05) \text{ lb}}{\text{MMBtu}} \times \frac{\text{MMbtu}}{10,320 \text{ ft}^3} \times \frac{\text{scf}}{1.660E^{-7} \text{ lb}} \times \frac{0.45 \text{ ppmv}}{\text{ppmw}} = 13.3 \text{ ppmv } SO_2 < 500 \text{ ppmv}$$

10 CSR 10-6.270, *Acid Rain Source Permits Required*

The generators (EU0010 through EU0170) qualify for the “New Unit Exemption” found in 40 CFR 72.6(b)(9). Permit Condition (EU0010 through EU0170)-003 contains the requirements necessary to maintain the exemption.

10 CSR 10-6.345, *Control of NO_x Emissions from Upwind Sources*

10 CSR 10-6.360, *Control of NO_x Emissions from Electric Generating Units and Non-Electric Generating Boilers*

10 CSR 10-6.390, *Control of NO_x Emissions from Large Stationary Internal Combustion Engines*

These rules do not apply to the generators (EU0010 through EU0170) because they are not located in an affected county.

10 CSR 10-6.350, *Emission Limitations and Emissions Trading Oxides of Nitrogen*

10 CSR 10-6.362, *Clean Air Interstate Rule Annual NO_x Trading Program*

10 CSR 10-6.364, *Clean Air Interstate Rule Seasonal NO_x Trading Program*

10 CSR 10-6.366, *Clean Air Interstate Rule SO_x Trading Program*

10 CSR 10-6.368, *Control of Mercury Emissions from Electric Generating Units*

These rules do not apply to the generators (EU0010 through EU0170) because these electrical generating units have a nameplate capacity of less than twenty-five megawatts (25 MW).

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

This rule does not apply to the generators (EU0010 through EU0170) because according to §(2)(A), liquids and gases used solely as fuels are excluded in defining process weight.

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:

Alana L. Rugen
Environmental Engineer

CERTIFIED MAIL: 70073020000315697312
RETURN RECEIPT REQUESTED

Mr. Dave Gorrell
Rolla Municipal Utilities
P.O. Box 767
Rolla, MO 65402

Re: Rolla Municipal Utilities, 161-0054
Permit Number: **OP2010-031**

Dear Mr. Gorrell:

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

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

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

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:ark

Enclosures

c: Ms. Tamara Freeman, US EPA Region VII
Southeast Regional Office
PAMS File: 2004-01-072