



## 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:** OP2017-019  
**Expiration Date:** MAR 13 2022  
**Installation ID:** 161-0054  
**Project Number:** 2015-03-027

**Installation Name and Address**

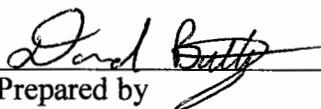
Rolla Municipal Utilities  
P.O. Box 767, 102 W 9<sup>th</sup> St.  
Rolla, MO 65401  
Phelps County

**Parent Company's Name and Address**

Rolla Municipal Utilities  
P.O. Box 767, 102 W 9<sup>th</sup> St.  
Rolla MO, 65401

**Installation Description:**

Rolla Municipal Utilities (RMU) 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 Nitrogen Oxides (NO<sub>x</sub>).

  
Prepared by

David Buttig  
Operating Permit Unit



Director or Designee  
Department of Natural Resources

**MAR 13 2017**

Effective Date

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## I. Installation Equipment Listing

### 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 Point	Description
EP-01	Olive Substation Generator #1
EP-02	Olive Substation Generator #2
EP-03	Olive Substation Generator #3
EP-04	Olive Substation Generator #4
EP-05	Sheron Substation Generator #1
EP-06	Sheron Substation Generator #2
EP-07	Lanning Substation Generator #1
EP-08	Lanning Substation Generator #2
EP-09	Dewing Substation Generator #1
EP-10	Dewing Substation Generator #2
EP-11	Industrial Park Substation Generator #1
EP-12	Industrial Park Substation Generator #2
EP-13	Grove Substation Generator #1
EP-14	Grove Substation Generator #2
EP-15	Hospital Substation Generator #1
EP-16	Hospital Substation Generator #2
EP-17	Hospital Substation Generator #3

### EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS

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

Emission Point	Description
N/A	Seventeen (17) 1,250-gallon Diesel Storage Tank

## **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. The plant wide conditions apply to all emission units at this installation. All emission units are listed in Section I under Emission Units with Limitations and Emission Units without Specific Limitations.

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.

<b>PERMIT CONDITION 1</b>		
10 CSR 10-6.060 Construction Permit Required		
MDNR Construction Permit No. 122003-001, Issued November 14, 2003		
Emission Unit	Description	Manufacturer/ Model #
EP-01	Olive Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-02	Olive Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-03	Olive Substation Generator #3: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-04	Olive Substation Generator #4: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-05	Sheron Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-06	Sheron Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-07	Lanning Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-08	Lanning Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-09	Dewing Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-10	Dewing Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-11	Industrial Park Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-12	Industrial Park Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-13	Grove Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-14	Grove Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2001	Caterpillar/ 3516B
EP-15	Hospital Substation Generator #1: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2003	Caterpillar/ 3516B
EP-16	Hospital Substation Generator #2: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2003	Caterpillar/ 3516B
EP-17	Hospital Substation Generator #3: 2 MW diesel engine generator; MHDR 17.52 MMBtu/hr (6879.5 HP); installation date 2003	Caterpillar/ 3516B

**Emission Limitation:**

The permittee shall emit less than 250 tons of NO<sub>x</sub> from the diesel engine generators EP-01 through EP-17 located as specified in Table 1 of this permit condition in any consecutive 12-month period. [Special Condition 2.A.]

**Operational Specifications:**

- 1) The permittee shall locate all of the diesel fuel engine generators at the respective seven substations as provided in Table 1 and maintain distance required to the nearest property boundary as specified in Table 2. [Special Condition 3.]

**Table 1: Summary of RMU Generator Sites**

<b>Emission Unit</b>	<b>Substation</b>	<b>Location</b>	<b>Legal Description</b>
EP-01 through EP-04	Olive	Intersection of Olive Street with 8 <sup>th</sup> Street (Exhibit 3 of the Application)	Section 11, T37N, R8W
EP-05 and EP-06	Sheron	Hutchinson Drive (Exhibit 4 of the Application)	Section 12, T37N, R8W
EP-07 and EP-08	Lanning	Lanning Lane (Exhibit 5 of the Application)	Section 14, T37N, R8W
EP-09 and EP-10	Dewing	Dewing Lane – Phelps Co Rd 3160 (Exhibit 6 of the Application)	Section 19, T38N, R7W
EP-11 and EP-12	Industrial Park	Industrial Park Drive (Exhibit 7 of the Application)	Section 31, T38N, R7W
EP-13 and EP-14	Grove	HY Point Boulevard (Exhibit 8 of the Application)	Section 29, T38N, R7W
EP-15 through EP-17	Hospital	NW Corner of 11 <sup>th</sup> and Duane	Section 3, T37N, R8W

**Table 2: Substation Distance to Nearest Property Boundary**

<b>Emission Unit</b>	<b>Substation</b>	<b>Distance to Nearest Property Boundary (ft)</b>
EP-01 through EP-04	Olive	13.5
EP-05 and EP-06	Sheron	131
EP-07 and EP-08	Lanning	23
EP-09 and EP-10	Dewing	115
EP-11 and EP-12	Industrial Park	42
EP-13 and EP-14	Grove	31
EP-15 through EP-17	Hospital	139

**Monitoring/Recordkeeping:**

- 1) The permittee shall maintain accurate monthly and 12-month rolling total records of NO<sub>x</sub> emitted into the atmosphere from the entire installation. Attachments A, or an equivalent form approved by the Air Pollution Control Program shall be used to demonstrate compliance with the Emission Limitation. [Special Condition 2.B.]
- 2) The permittee 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. [Special Condition 2.B.]

**Reporting:**

- 1) The permittee shall report to the Air Pollution Control Program’s Compliance/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. [Special Condition 2.C.]
- 2) The permittee shall report any deviations of this permit condition to the Air Pollution Control Program’s Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

<b>PERMIT CONDITION 2</b>		
<b>10 CSR 10-6.270 Acid Rain Source Permits Required</b>		
Emission Unit	Description	Manufacturer/Model #
EP-01 through EP-17: Diesel Fired Non-Emergency Internal Combustion Engines; 2 MW each; MHDR 17.52 MMBtu/hr each; 297.84 MMBtu/hr Total		

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

**Operational Limitations:**

The generators (EP-01 through EP-17) 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)]

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

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 of this permit condition to the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than the semi-annual monitoring report and annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III).

<b>PERMIT CONDITION 3</b>		
40 CFR Part 63 Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines		
Emission Unit	Description	Manufacturer/Model #
EP-01 through EP-17: 2 MW Diesel Fired Non-Emergency Internal Combustion Engines; MHDR 17.52 MMBtu/hr each; 297.84 MMBtu/hr Total		

**Emission Limitations:**

- 1) For each of the engines the permittee must;
  - a) Limit concentration of CO in the stationary Reciprocating Internal Combustion Engine (RICE) exhaust to 23 ppmvd at 15 percent O<sub>2</sub>; or
  - b) Reduce CO emissions by 70 percent or more. [Table 2d to Subpart ZZZZ, Item #3]

**Operational Requirements:**

- 1) The permittee must be in compliance with the applicable requirements of MACT ZZZZ at all times. [§63.6605(a)]
- 2) At all times, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. [§63.6605(b)]
- 3) The permittee must use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel. [§63.6604(a)]
- 4) During periods of startup the permittee must minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [§63.6625(h)]
- 5) The permittee must meet the following operating limitation, except during periods of startup;
  - a) maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the initial performance test; and
  - b) maintain the temperature of the stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. (The permittee can petition the Administrator pursuant to the requirements of 40 CFR 63.8(f) for a different temperature range.) [Table 2b to MACT ZZZZ. Item #2]
- 6) If the permittee changes the catalyst, the permittee must reestablish the values of the operating parameters measured during the initial performance test. When the permittee reestablishes the values of the operating parameters, the permittee must also conduct a performance test to demonstrate that the applicable emission limit is met for the stationary RICE. [§63.6640(b)]

**Monitoring/Continuous Compliance Requirements:**

- 1) The permittee shall monitor and collect data as follows: [§63.6635(a)]
  - a) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, the permittee shall monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures

- that are caused in part by poor maintenance or careless operation are not malfunctions. [§63.6635(b)]
- b) The permittee may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. The permittee shall, however, use all the valid data collected during all other periods. [§63.6635(c)]
- 2) The permittee must demonstrate continuous compliance with each emission limitation, operating limitation and other applicable requirements in Tables 2b and Table 2d to MACT ZZZZ, according to methods specified in Table 6 to MACT ZZZZ. [§63.6640(a)]
    - a) Conducting performance tests every 8,760 hrs or 3 yrs, whichever comes first, for CO to demonstrate that the required CO % reduction is achieved or that the emissions remain at or below the CO concentration. limit; and
    - b) Collecting the catalyst inlet temp. data according to §63.6625(b); and
    - c) Reducing these data to 4-hr rolling averages; and
    - d) Maintaining the 4-hr rolling averages within the operating limits for the catalyst inlet temperature.; and
    - e) Measuring the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limit established during the performance test. [Table 6 to Subpart ZZZZ of Part 63, Item #10]
  - 3) If the affected Compression Ignition (CI) engine is not equipped with a closed crankcase ventilation system, The permittee must:
    - a) Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or
    - b) Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals.
  - 4) The permittee must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase ventilation systems and replacing the crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements. [§63.6625(g)]
  - 5) Since the permittee has elected to install a continuous parameter monitoring system (CPMS) as specified in Table 5 of MACT ZZZZ, the permittee must install, operate, and maintain each CPMS according to the requirements in paragraphs §63.6625(b)(1) through (6). [§63.6625(b)]

**Notifications:**

- 1) The permittee shall submit all of the notifications in §§63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply by the dates specified.[§63.6645(a)]
- 2) The permittee shall submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in §63.7(b)(1). [§63.6645(g)]
- 3) The permittee shall submit a Notification of Compliance Status according to §63.9(h)(2)(ii). [§63.6645(h)]

**Recordkeeping:**

- 1) The permittee shall retain the records described in §63.6655(a)(1) through (a)(5), and §63.6655(b)(1) through (b)(3). [§63.6655(a)]
- 2) The permittee shall retain the records required in Table 6 of MACT ZZZZ to show continuous compliance with each emission or operating limit that applies. [§63.6655(d)]

- 3) The permittee shall retain each record readily accessible in hard copy or electronic form for at least five years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1). [§63.6660(c)]
- 4) These records shall be kept on-site, and shall be made available to Department personnel upon request.

**Reporting:**

- 1) The permittee must report each instance in which each applicable emission limitation or operating limitation in Table 2d to MACT ZZZZ is not met. These instances are deviations from the emission and operating limitations in MACT ZZZZ. These deviations must be reported according to the requirements in §63.6650. [§63.6640(b)]
- 2) The permittee shall submit each report in Table 7 of MACT ZZZZ that applies. [§63.6650(a)]
- 3) Unless the Administrator has approved a different schedule for submission of reports under §63.10(a), the permittee shall submit each report by the date in Table 7 of MACT ZZZZ and according to the requirements in §63.6650(b)(1) through (b)(9): [§63.6650(b)]
  - a) The permittee may submit the first and subsequent Compliance Reports as part of their 40 CFR Part 70 semi-annual Compliance Reports instead of according to the dates in §63.6650(b)(1) through (b)(4). [§63.6650(b)(5)]
- 4) The Compliance report must contain the information in §63.6650 (c)(1) through (6): [§63.6650(c)]
- 5) For each deviation from an emission or operating limit, the permittee shall include the information in §63.6650(c)(1) through (4) and §63.6650(e)(1) through (12): [§63.6650(e)]
- 6) The permittee shall report all deviations as defined in MACT ZZZZ in the semi-annual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A). If the permittee submits a Compliance Report pursuant to Table 7 of MACT ZZZZ along with, or as part of, the semi-annual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A), and the Compliance Report includes all required information concerning deviations from any emission or operating limit in MACT ZZZZ, submission of the Compliance Report shall be deemed to satisfy any obligation to report the same deviations in the semi-annual monitoring report. However, submission of a Compliance Report shall not otherwise affect any obligation the permittee may have to report deviations from permit requirements to the Air Pollution Control Program. [§63.6650(f)]
- 7) Required reports shall be submitted to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102.
- 8) The permittee shall report any deviations of this permit condition to EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program's Compliance/Enforcement Section, P.O. Box 176, Jefferson City, MO 65102.

## 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), the 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 as of the date that this permit is issued. The following are only excerpts from the regulation or code, and are provided for summary purposes only.

### **10 CSR 10-6.045 Open Burning Requirements**

- 1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- 2) Certain types of materials may be open burned provided an open burning permit is obtained from the director. The permit will specify the conditions and provisions of all open burning. The permit may be revoked if the owner or operator fails to comply with the conditions or any provisions of the permit.

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
  - a) Name and location of installation;
  - b) Name and telephone number of person responsible for the installation;
  - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered.
  - d) Identity of the equipment causing the excess emissions;
  - e) Time and duration of the period of excess emissions;
  - f) Cause of the excess emissions;
  - g) Air pollutants involved;
  - h) 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 to the director in writing at least ten days prior to any maintenance, start-up or shutdown activity 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, notice shall be given as soon as practicable prior to the activity.
- 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. The permittee shall retain the most current operating permit issued to this installation on-site. The permittee shall immediately make such permit available to any Missouri Department of Natural Resources personnel upon request.

#### **10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants and 40 CFR Part 61 Subpart M National Emission Standard for Asbestos**

The permittee shall follow the procedures and requirements of 40 CFR Part 61, Subpart M for any activities occurring at this installation which would be subject to provisions for 40 CFR Part 61, Subpart M, National Emission Standard for Asbestos.

#### **10 CSR 10-6.110 Reporting of Emission Data, Emission Fees and Process Information**

- 1) The permittee shall submit a Full Emissions Report either electronically via MoEIS, which requires Form 1.0 signed by an authorized company representative, or on Emission Inventory Questionnaire (EIQ) paper forms on the frequency specified in this rule and in accordance with the requirements outlined in this rule. Alternate methods of reporting the emissions, such as spreadsheet file, can be submitted for approval by the director.
- 2) 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.
- 3) 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.

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

**This is a State Only permit requirement.**

No person may cause, permit or allow the emission of odorous matter in concentrations and frequencies or for durations that odor can be perceived when one volume of odorous air is diluted with seven volumes of odor-free air for two separate trials not less than 15 minutes apart within the period of one hour. This odor evaluation shall be taken at a location outside of the installation's property boundary.

**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.

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

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

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

The permittee shall conduct all asbestos abatement projects within the procedures established for certification and accreditation by 10 CSR 10-6.250. This rule requires individuals who work in asbestos abatement projects to be certified by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires training providers who offer training for asbestos abatement occupations to be accredited by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires persons who hold exemption status from certain requirements of this rule to allow the department to monitor training provided to employees.

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

- 1) The permittee is not prohibited from using the following in addition to any specified compliance methods for the purpose of submission of compliance certificates:
  - a) Monitoring methods outlined in 40 CFR Part 64;
  - b) Monitoring method(s) approved for the permittee pursuant to 10 CSR 10-6.065, “Operating Permits”, and incorporated into an operating permit; and
  - c) Any other monitoring methods approved by the director.
- 2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred at an installation:
  - 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”;
  - 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.

**40 CFR Part 82 Protection of Stratospheric Ozone (Title VI)**

- 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 40 CFR §82.106.
  - b) The placement of the required warning statement must comply with the requirements of 40 CFR §82.108.
  - c) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR §82.110.

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- d) No person may modify, remove, or interfere with the required warning statement except as described in 40 CFR §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 of 40 CFR Part 82:
    - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices described in 40 CFR §82.156.
    - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment described in 40 CFR §82.158.
    - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR §82.161.
    - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with the record keeping requirements of 40 CFR §82.166. ("MVAC-like" appliance as defined at 40 CFR §82.152).
    - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR §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 40 CFR §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 contained 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.*

## 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**

### **10 CSR 10-6.065(6)(E)3.C Extension of Expired Permits**

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. If a timely and complete application for a permit renewal is submitted, but the Air Pollution Control Program fails to take final action to issue or deny the renewal permit before the end of the term of this permit, this permit shall not expire until the renewal permit is issued or denied.

### **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, Compliance and 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.
  - 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. 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)**

If the installation is required to develop and register a risk management plan pursuant to Section 112(R) of the Act, the permittee will verify that it has complied with the requirement to register the plan.

**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, 11201 Renner Blvd., Lenexa, KS 66219, as well as the Air Pollution Control Program, Compliance and 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 applicable 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, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, 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, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, 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 APCP shall place a copy with the permit in the public file. Written notice shall be provided to the EPA and the APCP 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 APCP 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 permit, 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 contemporaneous written notice of the change to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(6)(B)3 of this rule. 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)34 Responsible Official**

The application utilized in the preparation of this permit was signed by Rodney Bourne, 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(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) 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,
- 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) MDNR 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 A**  
**NO<sub>x</sub> Tracking Sheet**

Month: \_\_\_\_\_ Year: \_\_\_\_\_

Emission Unit	Column 1	Column 2	Column 3
	Monthly Diesel Throughput (Mgals)	NO <sub>x</sub> Emission Factor (lb/Mgal)*	Monthly NO <sub>x</sub> Emissions (tons) <sup>1</sup>
Olive Generator #1		320.99	
Olive Generator #2		320.99	
Olive Generator #3		320.99	
Olive Generator #4		320.99	
Sheron Generator #1		320.99	
Sheron Generator #2		320.99	
Lanning Generator #1		320.99	
Lanning Generator #2		320.99	
Dewing Generator #1		320.99	
Dewing Generator #2		320.99	
Industrial Park Generator #1		320.99	
Industrial Park Generator #2		320.99	
Grove Generator #1		320.99	
Grove Generator #2		320.99	
Hospital Generator #1		320.99	
Hospital Generator #2		320.99	
Hospital Generator #3		320.99	
<b>Summation of all generators Monthly NO<sub>x</sub> Emissions (tons)<sup>2</sup></b>			
<b>Total of Previous 11-Months NO<sub>x</sub> Emissions (tons)<sup>3</sup></b>			
<b>Start-up, Shutdown, and Malfunction Emissions (tons)<sup>4</sup></b>			
<b>Sum of Most Recent 12-Months of NO<sub>x</sub> Emissions (tons)<sup>5</sup></b>			

\* Calculated from 2015 stack test data.

<sup>1</sup> [Column 3] = [Column 1] x [Column 2] x 0.0005 tons/lb

<sup>2</sup> [Summation of all Generators Monthly NO<sub>x</sub> Emissions] = [Summation of Column 3]

<sup>3</sup> Summation of previous 11-Months Total NO<sub>x</sub> Emissions

<sup>4</sup> The sum of all start-up, shutdown, and malfunction NO<sub>x</sub> emissions from the emission units in tons.

<sup>5</sup> [Sum of Most recent 12-Months of NO<sub>x</sub> Emissions] = [Summation of all Generators Monthly NO<sub>x</sub> Emissions] + [Total of Previous 11-Months NO<sub>x</sub> Emissions]

**A 12-month total<sup>[4]</sup> of less than 250 tons NO<sub>x</sub> emissions demonstrates compliance with Permit Condition 1.**

## STATEMENT OF BASIS

### Installation Description

Rolla Municipal Utilities (RMU) 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 Nitrogen Oxides (NO<sub>x</sub>).

RMU is not a named source and therefore fugitive emissions do not count towards major source applicability.

### Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tons/yr)
CO	4.66
HAP (Combined)	0.125
NO <sub>x</sub>	≤ 250
PM <sub>10</sub>	5.45
PM <sub>2.5</sub>	5.45
SO <sub>x</sub>	3.94
VOC	7.82

<sup>1</sup>Emissions from the internal combustion engines were evaluated at a NO<sub>x</sub> limitation of 250.0 tons.

<sup>2</sup>All emission units besides the internal combustion units were evaluated at 8760 hours of operation.

### Reported Air Pollutant Emissions, tons per year

Reported Air Pollutant Emissions, tons per year					
Pollutants	2015	2014	2013	2012	2011
Particulate Matter ≤ Ten Microns (PM <sub>10</sub> )	0.09	0.06	0.05	0.08	0.05
Particulate Matter ≤ 2.5 Microns (PM <sub>2.5</sub> )	0.09	0.06	0.05	0.08	0.05
Sulfur Oxides (SO <sub>x</sub> )	0.07	0.04	0.03	0.05	0.04
Nitrogen Oxides (NO <sub>x</sub> )	3.34	2.20	1.79	2.72	1.97
Volatile Organic Compounds (VOC)	0.14	0.09	0.07	0.11	0.08
Carbon Monoxide (CO)	0.08	0.05	0.04	0.06	0.04

### 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 March 04, 2015;
- 2) 2014 Emissions Inventory Questionnaire, received February 24, 2015; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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### **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) Construction Permit No. 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) Construction Permit No. 012001-017 authorized the installation of fourteen (14) electrical generators (SUB01 through SUB14).
  - a) Special Conditions 1.A., 1.B., 1.C., 3.A., 3.B., and 4 were superseded by Special Condition 1 of Construction Permit No. 012003-004. Therefore, these special 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) Construction Permit No. 012003-004 authorized the permittee to move the Dewing Substation Generator #2 (EP-10) 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 No. 122003-001. Therefore, these conditions are not included in the operating permit.
  - b) Dewing Substation generator #2 was not moved to the Sanitary Wastewater Treatment Plant.
- 4) Construction Permit No. 122003-001 authorized the installation of three (3) electrical power generators (EP-15 through EP-17).
  - a) Table 3 of this construction permit listed that the Dewing Substation Generator #2 (EP-10) was located at the Sanitary Wastewater Treatment Plant and the distance of the substation to the nearest property boundary was 87.5 feet. However, EP-10 was not moved to the Sanitary Wastewater Treatment Plant. Therefore, EP-10 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.
- 5) No Permit Required – Project No. 2012-01-021

- a) It was determined that no construction permit was required to install a diesel oxidation catalyst on each of the seventeen (17) existing large stationary reciprocating internal combustion engines (RICE) used for the generation of electric power.

#### **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 (EP-01 through EP-17) because the generators were constructed before July 11, 2005.

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

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

This regulation applies to the 17 Internal Combustion Engines (EP-01 through EP-17) as Non-Emergency Diesel Fueled engines over 500 HP. MACT ZZZZ has been included in this operating permit as Permit Condition 3.

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

None.

#### **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 (EP-01 through EP-17) because according to §(1)(A), internal combustion engines operated outside of the Kansas City and St. Louis metropolitan area are exempt.

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

This regulation applies to the generators (EP-01 through EP-17) but has not been applied within this operating permit because the requirement to combust Ultra Low Sulfur Diesel (ULSD) by MACT ZZZZ is a stricter requirement for sulfur emissions.

10 CSR 10-6.261, *Control of Sulfur Dioxide Emissions*

This regulation applies to the generators (EP-01 through EP-17) but has not been applied within this operating permit because the requirement to combust Ultra Low Sulfur Diesel (ULSD) by MACT ZZZZ is a stricter requirement for sulfur emissions.

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

The generators (EP-01 through EP-17) qualify for the “New Unit Exemption” found in 40 CFR 72.6(b)(9). Permit Condition 2 contains the requirements necessary to maintain the exemption.

10 CSR 10-6.345, *Control of NO<sub>x</sub> Emissions from Upwind Sources*

10 CSR 10-6.360, *Control of NO<sub>x</sub> Emissions from Electric Generating Units and Non-Electric Generating Boilers*

10 CSR 10-6.390, *Control of NO<sub>x</sub> Emissions from Large Stationary Internal Combustion Engines*

These rules do not apply to the generators (EP-01 through EP-17) 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<sub>x</sub> Trading Program*

10 CSR 10-6.364, *Clean Air Interstate Rule Seasonal NO<sub>x</sub> Trading Program*

10 CSR 10-6.366, *Clean Air Interstate Rule SO<sub>x</sub> Trading Program*

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

These rules do not apply to the generators (EP-01 through EP-17) because these electrical generating units have a nameplate capacity of less than twenty-five (25) megawatts.

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

This rule does not apply to the generators (EP-01 through EP-17) 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 APCP's satisfaction, the installation's compliance with that regulation(s). If the installation is not in compliance with a regulation which was not previously cited, the installation shall submit to the APCP a schedule for achieving compliance for that regulation(s).

## Response to Public Comments

A draft of the Rolla Municipal Utilities Part 70 Operating Permit was placed on public notice on November 30, 2015, by the Missouri Department of Natural Resources (MDNR). Comments were received on December 14, 2015 from Mark Smith, Air Permitting and Compliance Branch Chief of the Environmental Protection Agency Region 7. The three (3) comments are presented below as submitted, with the response to the comment by the Air Pollution Control Program (APCP) directly following.

### **EPA Comment #1:**

It appears that MDNR-APCP is attempting to streamline Permit Condition 3 by "incorporating by reference" (IBR) many of the applicable requirements from 40 CFR part 63, Subpart ZZZZ. EPA strongly supports and encourages the permit authority use of IBR and has issued guidance that describes EPA's recommended approach. This guidance says that IBR in operating permits may be appropriate and useful under several circumstances including referencing of test method procedures; inspection and maintenance plans; and compliance determination calculation methodology. EPA's guidance also recommends that all emission limits, operational requirements, compliance determinations, and monitoring, recordkeeping, and reporting, applicable to the specific emission unites), must be clearly incorporated into the permit. There is value to be gained by the permittee and the permitting authority through review of specific requirements and extraction of those that are applicable and translating them in a logical fashion as operating permit conditions.

Therefore, EPA strongly encourages MDNR-APCP to include the applicable 40 CFR part 63, Subpart ZZZZ specific operational, continuous compliance, monitoring, record keeping and reporting tasks as requirements in Permit Condition 3. For example, monitoring requirement 1)a) says "Permittee shall monitor continuously at all times that the stationary RICE is operating." MDNR-APCP should detail exactly what the permittee is required to operate. Additionally, MDNR-APCP uses acronyms RICE and CI in Permit Condition 3 and neither acronym is defined.

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

Permit Condition 3 has been updated to further explain what is necessary for compliance. All acronyms associated with this permit condition have been defined.

### **EPA Comment #2:**

On a lesser note, continuous compliance requirement 1) a) (page 11) requires the permittee to conduct performance tests every 8,760 hours or 3 years, whichever comes "1<sup>st</sup>" (emphasis added). EPA suggests MDNR-APCP use the word "first" in lieu of "1<sup>st</sup>."

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

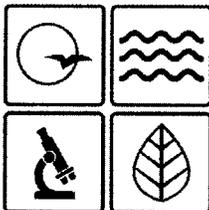
The usage of "1<sup>st</sup>" has been replaced with "first".

**EPA Comment #3:**

Finally, the formula shown as footnote 1 on Attachment A should be modified to reflect that Column 3 equals the product of Column 1 times Column 2 divided by 2,000.

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

The formula on Attachment A has been corrected to account for the conversion from pounds to tons.



Missouri Department of dnr.mo.gov

# NATURAL RESOURCES

Eric R. Greitens, Governor

Carol S. Comer, Director

MAR 13 2017

Mr. Rodney Bourne  
Rolla Municipal Utilities  
PO Box 767, 102 W 9th St.  
Rolla, MO 65401

Re: Rolla Municipal Utilities, 161-0054  
Permit Number: OP2017-019

Dear Mr. Bourne:

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.

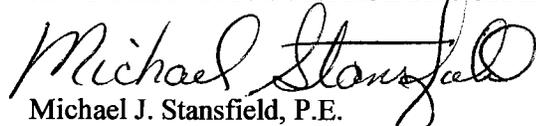
This permit may include requirements with which you may not be familiar. If you would like the department to meet with you to discuss how to understand and satisfy the requirements contained in this permit, an appointment referred to as a Compliance Assistance Visit (CAV) can be set up with you. To request a CAV, please contact your local regional office or fill out an online request. The regional office contact information can be found at <http://dnr.mo.gov/regions/>. The online CAV request can be found at <http://dnr.mo.gov/cav/compliance.htm>.

You may appeal this permit to the Administrative Hearing Commission (AHC), P.O. Box 1557, Jefferson City, MO 65102, as provided in RSMo 643.078.16 and 621.250.3. If you choose to appeal, you must file a petition with the AHC within thirty 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 contact the Air Pollution Control Program (APCP) at (573) 751-4817, or you may write to the Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS:dbj

Enclosures

c: Robert Cheever, US EPA Region VII  
PAMS File: 2015-03-027

