



Missouri Department of Natural Resources
Air Pollution Control Program

INTERMEDIATE STATE PERMIT TO OPERATE

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

Intermediate Operating Permit Number: OP2013-009
Expiration Date: FEB 27 2018
Installation ID: 047-2227
Project Number: 2011-01-033

Installation Name and Address

Water Supply Treatment Plant
1 NW Briarcliff Road
Kansas City, MO 64116
Clay County

Parent Company's Name and Address

Kansas City, Missouri, Water Services Department
1 NW Briarcliff Road
Kansas City, MO 64116

Installation Description:

Water Supply Treatment Plant is located in Kansas City, Missouri. The activity at this facility is the treatment of water for the purpose of providing public drinking water. The plant gets its water from the Missouri River. The plant treats approximately one hundred eleven million gallons of water a day. The facility sells water to local communities.

FEB 28 2013

Effective Date


Director or Designee

Health Department, Kansas City Missouri

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Water Supply Treatment Plant is located in Kansas City, Missouri. The activity at this facility is the treatment of water for the purpose of providing public drinking water. The plant gets its water from the Missouri River. The plant treats approximately one hundred eleven million gallons of water a day. The facility sells water to local communities.

Reported Air Pollutant Emissions, tons per year					
Pollutants	2009	2008	2007	2006	2005
Particulate Matter ≤ Ten Microns (PM ₁₀)	0.53	0.50	0.50	0.50	0.47
Particulate Matter ≤ 2.5 Microns (PM _{2.5})	0.15	0.14	0.14	0.14	0.14
Sulfur Oxides (SO _x)	0.08	0.01	0.01	0.01	0.01
Nitrogen Oxides (NO _x)	2.92	2.31	28.28	5.65	13.17
Volatile Organic Compounds (VOC)	0.16	0.12	0.87	0.21	0.43
Carbon Monoxide (CO)	1.74	1.62	3.64	1.88	2.47
Lead (Pb)	0	0	0	0	0
Hazardous Air Pollutants (HAPs)	0	0	0	0	0
Ammonia (NH ₃)	0.06	0.06	0.06	0.06	0.06

EMISSION UNITS WITH LIMITATIONS

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

Emission Unit #	Description of Emission Unit
EU0010	1000 hp Natural gas Engine (Waukesha)
EU0020	1500 KW Diesel Electric Generator
EU0030	1500 KW Diesel Electric Generator
EU0040	200 hp Natural/Fuel oil #2 Gas Boiler #1 (Kawanee)
EU0050	200 hp Natural/Fuel oil #2 Gas Boiler #2 (Kawanee)
EU0060	100 hp Natural Gas Boiler
EU0070	Parts Washer
EU0080	Lime Handling and Transfer

EMISSION UNITS WITHOUT LIMITATIONS

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

Description of Emission Source

20,000 gallons Above ground Storage Tank, #2 Diesel (West)
20,000 gallons Above ground Storage Tank, #2 Diesel (East)
12,000 gallon Underground Storage Tank, Diesel
6,000 gallon Aboveground Storage Tank, Diesel
12,000 gallon Underground Storage Tank, Unleaded

DOCUMENTS INCORPORATED BY REFERENCE

This permit incorporates the following documents by reference:

City of Kansas City Health Department, Air Quality Program Permit No:0904 issued 12/7/1999

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 on the date of permit issuance.

“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 on the date of permit issuance.

EU0010 -1000 hp Natural Gas Engine			
Emission Unit	Description	Manufacturer/Model #	2009 EIQ Reference #
EU0010	Natural Gas Engine	Waukesha/L5790GSI #1986	EP- 4

PERMIT CONDITION – EU0010-[001]
10 CSR 10-6.065(2)(C) and 10 CSR 10-6.065(5)(A) Voluntary Limitation(s)

Emission Limitations:

The permittee shall not operate the Waukesha Engine more than 1900 hours per 12 consecutive months.

Monitoring, Recordkeeping:

- 1) The Waukesha Engine shall be equipped with a non-resettable hour meter
- 2) The permittee shall maintain monthly records of the hours of operation on site for the most recent 60 months.
- 3) The permittee shall immediately make such records available to any Department of Natural Resources or Kansas City Air Quality Program personnel upon request.

Reporting:

The permittee shall report to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, and to the Air Pollution Control Program’s Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten (10) days after any exceedance of any of the terms imposed by this regulation. Any deviations from this permit condition shall be reported in the annual compliance certification, as required by 10 CSR 10-6.065(5)(C)1.B.

PERMIT CONDITION – EU0010-[002]
40 CFR 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

Engine Category	Non-Emergency SI 4SLB (that operate 24 hours or less per year)	Monitoring, Installation, Collection, Operation and Maintenance Requirements	63.6625(e), (h), (j)
Date Constructed	Before 6/12/2006	Initial Compliance	No Requirements
Compliance Date	October 19, 2013	Continuous Compliance	63.6605, 63.6640
Emission Limitations	63.6603 Table 2d	Notification Requirements	No Requirements
Operating Limitations	No Requirements	Recordkeeping Requirements	63.6655 (except 63.6655(c) and (f))
Fuel Requirements	No Requirements	Reporting Requirements	No Requirements
Performance Tests	No Requirements	General Provisions (40 CFR Part 63)	Yes, except per 63.6645(a)(5), the following do not apply: 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), and 63.9(b)-(e), (g) and (h).

EU0020-EU0030– Diesel Electric Generators			
Emission Unit	Description	Manufacturer/Model #	2009 EIQ Reference #
EU0020	West Caterpillar Generator Engine	Caterpillar /3512	EP-10
EU0030	East Caterpillar Generator Engine	Caterpillar /3512	EP-10

PERMIT CONDITION EU0020 – EU0030 – [001]
Construction Permit #1280 issued September 16, 2009

KCMO Water Services is authorized to operate the following generators at the above location:
This permit supersedes Permit 1084 issued October 22, 2004.

Two (2) Caterpillar Model CAT 3512 generators rated at 1500 KW

Operating Conditions:

- 1) Combined total annual hours of operation for all generators shall be less than 1050 hours per 12 consecutive months.
- 2) Each generator shall be equipped with a non-resettable hour meter.
- 3) The permittee shall immediately make such records available to any Department of Natural Resources or Kansas City Air Quality Program personnel upon request.
- 4) Diesel fuel shall contain no greater than 0.5% Sulfur by weight. Low Sulfur Dyed Fuel meets this requirement. Maintain copies of fuel delivery bill of ladings for five years.
- 5) The owner shall receive a permit prior to replacing or adding emergency generators.

PERMIT CONDITION EU0020 – EU0030 – [002]

10 CSR 10-6. 260 Restriction of Emission of Sulfur Compounds

KCMO Chapter 8 Section 6(b) Restriction of Emission of Sulfur Compounds (Industrial Processes)

Emission Limitation:

- 1) Emissions from any existing or 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.

Operational Limitation/Equipment Specifications:

The emission unit shall be limited to burning #2 fuel oil with a sulfur content of less than or equal to 0.5% by weight.

Monitoring/Recordkeeping:

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

Reporting:

Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted within ten working days and included in the annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

PERMIT CONDITION EU0020 – EU0030 – [003]

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

Engine Category	Emergency CI	Monitoring, Installation, Collection, Operation and Maintenance Requirements	63.6625(e), (f), (h), (i)
Date Constructed	Before 6/12/2006	Initial Compliance	No Requirements
Compliance Date	May 3, 2013	Continuous Compliance	63.6605 63.6640
Emission Limitations	63.6603 Table 2d	Notification Requirements	No Requirements
Operating Limitations	No Requirements	Recordkeeping Requirements	63.6655 (except 63.6655(c))
Fuel Requirements	No Requirements	Reporting Requirements	Footnote 1 of Table 2d
Performance Tests	No Requirements	General Provisions (40 CFR Part 63)	Yes, except per 63.6645(a)(5), the following do not apply: 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), and 63.9(b)-(e), (g) and (h).

EU0040 – EU0050 – EU0060 Dual Fired Boilers

Emission Unit	Description	Manufacturer/Model #	2009 EIQ Reference #
EU0040	East Steam boiler	Kawanee/7L285KX	EP-1
EU0050	West Steam Boiler	Kanwanee/LPSS -550	EP-2
EU0060	House Boiler	Boiler 100 HP	EP-3

PERMIT CONDITION EU0040- EU0050-EU0060 [001]

10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants
KCMO Chapter 8 Section 5(d) Emission of Particulate Matter (Visible Air Contaminants)

Emission Limitations:

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

- 2) Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any 60 minutes air contaminants with an opacity up to 60%.

Monitoring:

- 1) Monitoring is only required when the units are operating and utilizing fuel oils.
- 2) The permittee shall conduct opacity readings on each emission unit in the table above using the procedures contained in Test Method 22 in Appendix A of 40 CFR Part 60. Monitoring is only required when these units burn #2 fuel oil. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit is operating and when the weather conditions allow. If no visible or other significant emissions are observed using the Test Method 22 procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard using the Test Method 22 procedures, the source representative would then conduct an observation using the procedures contained in Test Method 9 in Appendix A of 40 CFR Part 60.
- 3) The following monitoring schedule must be maintained:
 - a) Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then –
 - b) Observations must be made once every two (2) weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then –
 - c) Observations must be made once per month. If a violation is noted, monitoring reverts to weekly. If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

Recordkeeping:

- 1) The permittee shall maintain records of all Method 22 observation results (See **Attachments A and B**), noting:
 - a) Whether any air emissions (except for water vapor) were visible from the emission units,
 - b) All emission units from which visible emissions occurred, and
 - c) Whether the visible emissions were normal for the process.
- 2) The permittee shall maintain records of any equipment malfunctions (See **Attachment G**).
- 3) The permittee shall maintain records of any Method 9 test performed in accordance with this permit condition (See **Attachment C**).
- 4) **Attachments A, B, C and G** contain logs satisfying these recordkeeping requirements. These logs, or equivalents created by the permittee, must be used to certify compliance with this requirement.
- 5) These records shall be made available immediately for inspection to Missouri Department of Natural Resources' personnel or Kansas City Air Quality Program personnel upon request.
- 6) These records shall be maintained for five years.

Reporting:

- 1) The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, no later than ten days after the permittee determines, using the Method 9 test, that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted annually, in the annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

PERMIT CONDITION EU0040 – EU0050 - EU0060 [002]

10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds
KCMO Chapter 8 Section 6(a) Restriction of Emission of Sulfur Compounds (Indirect Heating Sources)

Emission Limitations:

The permittee shall not cause or permit emissions of sulfur dioxide containing in excess of eight pounds per million BTU of heat input averaged on any three (3)-hour time period.

Operational Limitation/Equipment Specifications:

The emission unit shall be limited to burning #2 fuel oil with a sulfur content of less than or equal to 0.5% by weight.

Monitoring/Recordkeeping:

- 1) The permittee shall maintain an accurate record of the sulfur content of fuel used. Fuel purchase receipts, analyzed samples or certifications that verify the fuel type and sulfur content will be acceptable.
- 2) These records shall be made available immediately for inspection to the Department of Natural Resources' personnel or Kansas City Air Quality Program personnel upon request
- 3) All records shall be maintained for five years.

Reporting:

Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted within ten working days and included in the annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

EU0070 – Parts Washer

Emission Unit	Description	Manufacturer/Model #	2009 EIQ Reference #
EU0070	Three (3) Parts Washers	Safety Kleen	Not listed

PERMIT CONDITION EU0070

10 CSR 10-2.210 Control of Emissions from Solvent Metal Cleaners
KCMO Chapter 8 Section 8(a) Restriction of Emission of VOC From Solvent Metal Cleaning

Emission Limitations:

- 1) A permanent conspicuous label summarizing the operating procedures shall be affixed to the equipment.
- 2) Only persons trained in at least the operational and equipment requirements specified in this rule for their particular solvent metal cleaning process shall be permitted to operate the equipment. The supervisor of any person who operates a solvent metal cleaning process shall receive equal or greater operational training than the operator. Refresher training shall be given to all solvent metal cleaning equipment operators at least once each twelve (12) months.

Operational Limitations:

- 1) Each cold cleaner shall have a cover which will prevent the escape of solvent vapors from the solvent bath while in the closed position or an enclosed reservoir which will limit the escape of solvent vapors from the solvent bath whenever parts are not being processed in the cleaner.
- 2) Each cold cleaner shall have a drainage facility which will be internal so that parts are enclosed under the cover while draining.
- 3) If an internal drainage facility cannot fit into the cleaning system and the solvent volatility is less than six-tenth pounds per square inch (psi) measured at 100 degrees F, then the cold cleaner shall have an external drainage facility which provides for the solvent to drain back into the solvent bath.
- 4) Cleaned parts shall be drained in the freeboard area for at least 15 seconds or until the dripping ceases, whichever is longer.
- 5) Whenever a cold cleaner fails to perform within the operating parameters established, the unit shall be shut down immediately and shall remain shutdown until trained service personnel are able to restore operation within established parameters.
- 6) Solvent leaks shall be repaired immediately or the degreaser shall be shutdown until the leaks are repaired.

Monitoring/Recordkeeping:

- 1) The permittee shall keep monthly inventory records of solvent types and amounts purchased and solvent consumption. (**See Attachment D**). These records shall include all types and amounts of solvent containing waste material transferred to either a contract reclamation service or to a disposal facility and all amounts distilled on the premises (**See Attachments E, F**). The records also shall include maintenance and repair logs for both the degreaser and any associated control equipment. The director may require additional recordkeeping if necessary to adequately demonstrate compliance with this rule.
- 2) A record shall be kept of solvent metal cleaning training for each employee.
- 3) All records shall be retained for five (5) years and shall be made available to the Kansas City Air Quality or Department of Natural Resources personnel upon request.

Reporting:

None.

EU0080 - Lime Handling and Transfer (2 Drops)			
Emission Unit	Description	Manufacturer/Model #	2009 EIQ Reference #
EU0080	Lime Handling and Transfer (2 drops)		EP-7

<p align="center">PERMIT CONDITION EU0080 – [001]</p> <p>10 CSR 10-6.220 Restriction of Emission of Visible Air Contaminants KCMO Chapter 8 Section 5(d) Emission of Particulate Matter (Visible Air Contaminants)</p>

Emission Limitations:

- 1) No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any new source any visible emissions with an opacity greater than 20%.
- 2) Exception: A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any 60 minutes air contaminants with an opacity up to 60%.

Monitoring:

- 1) The permittee shall conduct opacity readings on each emission unit in the table above using the procedures contained in Test Method 22 in Appendix A of 40 CFR Part 60. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit is operating and when the weather conditions allow. If no visible or other significant emissions are observed using the Test Method 22 procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard using the Test Method 22 procedures, the source representative would then conduct an observation using the procedures contained in Test Method 9 in Appendix A of 40 CFR Part 60.
- 2) The following monitoring schedule must be maintained:
 - a) Weekly observations shall be conducted for a minimum of eight consecutive weeks after permit issuance. Should no violation of this regulation be observed during this period then –
 - b) Observations must be made once every two (2) weeks for a period of eight weeks. If a violation is noted, monitoring reverts to weekly. Should no violation of this regulation be observed during this period then –
 - c) Observations must be made once per month. If a violation is noted, monitoring reverts to weekly. If the source reverts to weekly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

Recordkeeping:

- 1) The permittee shall maintain records of all Method 22 observation results (See **Attachments A and B**), noting:
 - a) Whether any air emissions (except for water vapor) were visible from the emission units,
 - b) All emission units from which visible emissions occurred, and
 - c) Whether the visible emissions were normal for the process.
- 2) The permittee shall maintain records of any equipment malfunctions (See **Attachment G**).
- 3) The permittee shall maintain records of any Method 9 test performed in accordance with this permit condition (See **Attachment C**).

- 4) **Attachments A, B, C and G** contain logs satisfying these recordkeeping requirements. These logs, or equivalents created by the permittee, must be used to certify compliance with this requirement.
- 5) These records shall be made available immediately for inspection to Missouri Department of Natural Resources personnel or Kansas City Air Quality Program personnel upon request.
- 6) These records shall be maintained for five years.

Reporting:

- 1) The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, no later than ten days after the permittee determines, using the Method 9 test, that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted annually, in the annual compliance certification, as required by 10 CSR 10-6.065(6)(C)1.C.(III) and Section V of this permit.

PERMIT CONDITION EU0080 – [002]

10 CSR 10-6.400 Control of Emission of Particulate Matter From Industrial Processes
KCMO Chapter 8 Section 5 Emission of Particulate Matter

Emission Limitations/Operational Limitations:

- 1) Particulate matter shall not be emitted from EU00800 in excess of the emission rates listed in the following table:

Emission Unit	Allowable Emission Rate, (lbs/hr)
EU0080 (1 drop) (25 tons/hr)	35.43

These emission rates were calculated using the following equation:

$$E = 4.10P^{0.67}$$

Where:

E = rate of emission in pounds per hour and P = process weight rate in tons per hour.

The equation is applicable for process weight rates less than 30 tons per hour.

- 2) The concentration of particulate matter in the exhaust gases shall not exceed 0.30 gr/scf.
- 3) The permittee shall operate the baghouses according to manufacturer's recommendations and inspect and replace the bags regularly depending on usage.

Monitoring:

None.

Recordkeeping:

- 1) The permittee shall log all maintenance performed on the baghouses, including the bag replacements and bag inspections. Permittee shall use Attachment G or equivalent form(s) for this purpose.
- 2) The permittee shall maintain on the premises of the installation a copy of the Statement of Basis demonstrating compliance with this rule.
- 3) These records shall be made available immediately for inspection to the Department of Natural Resources or Kansas City Air Quality Program personnel upon request.
- 4) All records shall be maintained for five years.

Reporting:

None.

IV. Core Permit Requirements

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

10 CSR 10-6.050 Start-up, Shutdown and Malfunction Conditions/ KCMO Chapter 8 Section 8-15 Start-up, Shutdown, and Malfunction Condition

- 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, or KCMO Chapter 8, Section 8-3.
- 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/ KCMO Chapter 8 Section 8-10 Review of New Sources and Modifications; Permit For Construction or Major Modification

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

10 CSR 10-6.065 Operating Permits

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

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

- 1) The permittee shall complete and submit an Emission Inventory Questionnaire (EIQ) in accordance with the requirements outlined in this rule.
- 2) The permittee 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.
- 3) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the Emissions Inventory Questionnaire (EIQ) form or equivalent approved by the director.

10 CSR 10-6.130 Controlling Emissions During Episodes of High Air Pollution Potential/ KCMO Chapter 8 Section 8-18. Rules For Controlling Emissions During Periods 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/ KCMO Chapter 8 Section 8-5(e) Emission of Particulate Matter (Preventing Fugitive Particulate Matter From Becoming Airborne)

- 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 or that the size of the

fugitive particulate matter found beyond the premises where it originates exceeds 40 microns 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 10-6.045 Open Burning Requirements/ KCMO Chapter 8 Section 8-4 Open Burning

- 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:
 - i) 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;
 - ii) 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;

- iii) 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
- iv) St. Louis metropolitan area. The open burning of household refuse is prohibited;
- b) Yard waste, with the following exceptions:
 - i) Kansas City metropolitan area. The open burning of trees, tree leaves, brush or any other type of vegetation shall require an open burning permit;
 - ii) 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;
 - iii) 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:
 - (1) 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;
 - (2) 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;
 - (3) The burning shall take place only between the daytime hours of 10:00 a.m. and 3:30 p.m.; and
 - (4) 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
 - iv) 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) Water Supply Treatment Plant 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 Water Supply Treatment Plant 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 Recordkeeping. 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 10-2.070 Restriction of Emission of Odors/ KCMO Chapter 8 Section 8-7 Restriction of Emission of Odors.

- 1) 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.
- 2) No person may cause, permit or allow the emission of odorous matter in such concentrations and frequencies or for such durations that such odor can be perceived at the point of complaint in a residential area when one volume of odorous air is diluted with two volumes of odor free air for two separate trials not less than 15 minutes apart within the period of one hour.

This requirement is not federally enforceable.

10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants and 40 CFR Part 61 Subpart M National Emission Standard for Asbestos/ KCMO Chapter 8 Section 8-9 Restriction of Emission of Hazardous Air Pollutants

- 1) 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.
- 2) The permittee shall conduct monitoring to demonstrate compliance with registration, certification, notification, and Abatement Procedures and Practices standards as specified in 40 CFR Part 61, Subpart M.

10 CSR 10-6.250 Asbestos Abatement Projects – Certification, Accreditation, and Business Exemption Requirements/ KCMO Chapter 8 Section 8-9 Restriction of Emission of Hazardous Air Pollutants

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. Each individual who works in asbestos abatement projects must first obtain certification for the appropriate occupation from the department. Each person who offers training for asbestos abatement occupations must first obtain accreditation from

the department. Certain business entities that meet the requirements for state-approved exemption status must allow the department to monitor training classes provided to employees who perform asbestos abatement.

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 recordkeeping requirements pursuant to §82.166. ("MVAC-like" appliance as defined at §82.152).
 - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
 - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
- 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

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

10 CSR 10-6.280 Compliance Monitoring Usage

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

V. General Permit Requirements

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

10 CSR 10-6.065, §(5)(C)1 and §(6)(C)1.B Permit Duration

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

10 CSR 10-6.065, §(5)(C)1 and §(6)(C)1.C General Recordkeeping and Reporting Requirements

- 1) Recordkeeping
 - 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' or to Kansas City Air Quality Program 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 and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108.
 - b) The permittee shall submit a report of all required monitoring by:
 - i) April 1st for monitoring which covers the January through December time period.
 - ii) Exception. Monitoring requirements which require reporting more frequently than annually shall report no later than 30 days after the end of the calendar quarter in which the measurements were taken.
 - c) Each report shall identify any deviations from emission limitations, monitoring, recordkeeping, reporting, or any other requirements of the permit.
 - d) Submit supplemental reports as required or as needed. Supplemental reports are required no later than ten days after any exceedance of any applicable rule, regulation or other restriction. All reports of deviations shall identify the cause or probable cause of the deviations and any corrective actions or preventative measures taken.
 - i) Notice of any deviation resulting from an emergency (or upset) condition as defined in paragraph (6)(C)7 of 10 CSR 10-6.065 (Emergency Provisions) shall be submitted to the permitting authority either verbally or in writing within two working days after the date on which the emission limitation is exceeded due to the emergency, if the permittee wishes to assert an affirmative defense. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that indicate an emergency occurred and the permittee can identify the cause(s) of the emergency. The permitted installation must show that it was operated properly at the time and that during the period of the emergency the permittee took all reasonable steps to minimize levels of

emissions that exceeded the emission standards or requirements in the permit. The notice must contain a description of the emergency, the steps taken to mitigate emissions, and the corrective actions taken.

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

10 CSR 10-6.065 §(5)(C)1 and §(6)(C)1.D Risk Management Plan Under Section 112(r)

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

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

10 CSR 10-6.065(5)(C)1.A General Requirements

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

the Air Pollution Control Program or to the Air Quality Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted under this rule.

- 6) Failure to comply with the limitations and conditions that qualify the installation for an Intermediate permit make the installation subject to the provisions of 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit.

10 CSR 10-6.065(5)(C)1.C Reasonably Anticipated Operating Scenarios
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“None”

10 CSR 10-6.065, §(5)(B)4; §(5)(C)1, §(6)(C)3.B; and §(6)(C)3.D; and §(5)(C)3 and §(6)(C)3.E.(I) – (III) and (V) – (VI) Compliance Requirements
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- 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 semi-annually (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 attesting to its compliance status with respect to all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to the Air Pollution Control Program’s Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108. All deviations and exceedances must be included in the compliance certifications. The compliance certification shall include the following:
 - a) The identification of each term or condition of the permit that is the basis of the certification;
 - b) The current compliance status, as shown by monitoring data and other information reasonably available to the installation;

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

10 CSR 10-6.065, §(5)(C)1 and §(6)(C)7 Emergency Provisions

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

10 CSR 10-6.065(5)(C)5 Off-Permit Changes

- 1) Except as noted below, the permittee may make any change in its permitted installation's operations, activities or emissions that is not addressed in, constrained by or prohibited by this permit without obtaining a permit revision. Off-permit changes shall be subject to the following requirements and restrictions:
 - a) The change must meet all applicable requirements of the Act and may not violate any existing permit term or condition; the permittee may not change a permitted installation without a permit revision if this change is a Title I modification; Please Note: Changes at the installation which affect the emission limitation(s) classifying the installation as an intermediate source (add additional equipment to the recordkeeping requirements, increase the emissions above major source level) do not qualify for off-permit changes.
 - b) The permittee must provide written notice of the change to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and to the Kansas City Air Quality Program, 2400 Troost Avenue, Suite 3000, Kansas City, MO 64108, as well as EPA Region VII, 11201 Renner Blvd., Lenexa, KS 66219, no later than the next annual emissions report. This written notice shall describe each change, including the date, any change in emissions, pollutants emitted and any applicable requirement that would apply as a result of the change; and
 - c) The permittee shall keep a record describing all changes made at the installation that result in emissions of a regulated air pollutant subject to an applicable requirement and the emissions resulting from these changes.

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

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

10 CSR 10-6.065 §(5)(E)4 and §(6)(E)6.A(III)(a)-(c) Reopening-Permit for Cause

This permit may be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MDNR) or EPA determines that the permit contains a material mistake or that inaccurate statements were made which resulted in establishing the emissions limitation standards or other terms of the permit,
- 2) Additional applicable requirements under the Act become applicable to the installation; however, reopening on this ground is not required if—:
 - a) The permit has a remaining term of less than three years;
 - b) The effective date of the requirement is later than the date on which the permit is due to expire;or
 - c) The additional applicable requirements are implemented in a general permit that is applicable to the installation and the installation receives authorization for coverage under that general permit,
- 3) The Missouri Department of Natural Resources or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

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

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

VI. Attachments

Attachments follow.

ATTACHMENT B

This recordkeeping sheet or something similar may be used to satisfy the recordkeeping requirements of 10 CSR 10-6.220.

Method 22 (Outdoor) Observation Log

Responsible Installation Operator: _____

Observer Affiliation: _____

Date: _____

Sky Condition: _____

Precipitation: _____

Wind Direction: _____

Wind Speed: _____

Process Unit: _____

Sketch process unit: Indicate the position relative to the source and sun; mark the potential emission points and/or the observing points.

Observations	Clock Time	Observation Period Duration, min : sec	Accumulated Emission Time, min : sec
Begin Observation	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
End Observation	_____	_____	_____

DUPLICATE THIS FORM AS NEEDED

ATTACHMENT C

This recordkeeping sheet or something similar may be used to satisfy the recordkeeping requirements of 10 CSR 10-6.220.

Opacity Emission Observations (Method 9)

Company _____ Observer _____
 Location _____ Observer Certification Date _____
 Date _____ Type Installation _____
 Time _____ Point of Emission _____
 Control Device _____

Hour	Min	Seconds				Steam Plume (check if applicable)		Comments
		0	15	30	45	Attached	Detached	
	0							
	1							
	2							
	3							
	4							
	5							
	6							
	7							
	8							
	9							
	10							
	11							
	12							
	13							
	14							
	15							
	16							
	17							
	18							

SUMMARY OF AVERAGE OPACITY				
Set Number	Time		Opacity	
	Start	End	Sum	Average

Readings ranged from _____ to _____ % opacity.
 The source was in compliance at the time evaluation was made: _____ Yes _____ No

 (Signature of Observer)

DUPLICATE THIS FORM AS NEEDED

STATEMENT OF BASIS

Voluntary Limitations

In order to qualify for this Intermediate State Operating Permit, the permittee has accepted voluntary, federally enforceable emission limitations. Per 10 CSR 10-6.065(5)(C)1.A.(VI), if these limitations are exceeded, the installation immediately becomes subject to 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit. It is the permittee's responsibility to monitor emission levels and apply for a part 70 operating permit far enough in advance to avoid this situation. This may mean applying more than eighteen months in advance of the exceedance, since it can take that long or longer to obtain a part 70 operating permit.

Permit Reference Documents

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

- 1) Intermediate Operating Permit Application, received ;
- 2) 2009 Emissions Inventory Questionnaire, received 2/24/2010; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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

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

"None"

Other Air Regulations Determined Not to Apply to the Operating Permit

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

10 CSR 10-6.100, *Alternate Emission Limits*

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

Construction Permit Revisions

Construction Permit 1280, Condition 1 has been corrected to show a rolling 12 months limit instead of an annual limit. It allows the company to correct any issues before it is too late. Condition 2 requiring monthly fuel usage and Condition 3 requiring annual hours of operation have been removed as it does not appear to be necessary. The facility is required to keep a monthly log.

New Source Performance Standards (NSPS) Applicability

40 CFR Part 60, Subpart Dc, *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*

This rule was checked as applicable on the permit application. It was determined that this rule is not applicable to the installation for the following reasons:

- 1) EU0040, EU0050, and EU0060 [Boilers #1, #2, & #3] were constructed after June 9, 1989. These boilers also have a maximum design heat input capacity of less than ten MMBtu/hr.
- 2) No other sources were determined to be subject to this rule.

40 CFR Part 60, Subpart Da, *Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978*

This rule was determined to be not applicable to the installation because:

- 1) EU0040, EU0050, and EU0060 [Boilers #1, #2, & #3] were each constructed before September 18, 1978, and have not been reconstructed or modified since that date. Each boiler also has a maximum design heat input capacity of less than 250 MMBtu/hr.
- 2) No other sources were determined to be subject to this rule.

40 CFR Part 60, Subpart Db, *Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units*

This rule was determined to be not applicable to the installation because:

- 1) EU0040, EU0050, and EU0060 [Boilers #1, #2, & #3] were each constructed after June 19, 1984 but has a maximum design heat input capacity of less than 100 MMBtu/hr.
- 2) No other sources were determined to be subject to this rule.

40 CFR Part 60, Subpart D, Da, Db, nor Dc apply to the steam generation unit at this installation since the steam generation unit has a maximum heat input that is less than the applicability thresholds of these various subparts.

40 CFR Part 60, Subpart Kb, *Standards of Performance for Volatile Organic Storage Vessels for (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.*

Subpart Kb is not applicable to two 20,000 gallons Above ground Storage tanks although they have a capacity of greater than 75 m³ because the permittee stores only #2 diesel fuel in these tanks, which has a vapor pressure that is significantly less than 15 kPa in all anticipated storage conditions.

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

KCMO Chapter 8 Section 6(a) *Restriction of Emission of Sulfur Compounds (Indirect Heating Sources)*
Boiler EU0060 is exempt from this rule as it uses exclusively pipeline grade natural gas.

10 CSR 10-6.400 *Restriction of Emission of Particulate Matter from Industrial Processes* and
KCMO Chapter 8 Section 5(a) *Emission of Particulate Matter (Industrial Processes)*

This rule restricts the emission of particulate matter from an industrial process based on the maximum design capacity of that process. 10 CSR 10-6.400 exempts emission units that at maximum design capacity have a potential to emit less than one-half (0.5) pounds per hour of particulate matter. KCMO Chapter 8 Section 5(a) does not have this exemption.

- 1) Calculation of the allowable emission rate for sources determined to be subject to these rules is presented in Table 1. Compliance with these rules is demonstrated, since their maximum design potential to emit will remain below allowable emission rate.

Table 1:

Emission Unit	Maximum Design Capacity (tons/hr)	Emission Factor (lbs/ton)	Control Device, Efficiency	Uncontrolled PM Emission Rate (lbs/hr)	Controlled PM Emission Rate (lbs/hr)	Allowable PM Emission Rate (lbs/hr) ¹
EU0080, lime handling and Transfer	25	2.2	BagHouse, 99%	55	0.55	35.43
EU0080, lime handling and Transfer	25	2.2	BagHouse, 99%	55	0.55	35.43

10 CSR 10-6.405 Restriction of Particulate Matter Emissions From Fuel Burning Equipment Used for Indirect Heating

10 CSR 10-6.405(1)(C) exempts emission units fueled by landfill gas, propane, natural gas, fuel oils #2 through #6 (with less than one and two tenths percent (1.2%) sulfur). PERMIT CONDITION EU0040 – EU0050 - EU0060 [003] limits the sulfur content to 0.5% sulfur by weight, therefore meeting the exemption level of the rule. Therefore no provisions from this rule placed in this permit for these units.

Maximum Achievable Control Technology (MACT) Applicability

“None.”

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

“None.”

Other Regulatory Determinations

“None.”

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

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

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

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

Prepared by:

Jason Dickneite
Environmental Engineer

Mr. Michael Klender
Water Supply Treatment
1 NW Briarcliff Road
Kansas City, MO 64116

Re: Installation, 047-2227
Permit Number: **OP2013-009**

Dear Mr. Klender:

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

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

If you have any questions or need additional information regarding this permit, please do not hesitate to contact Jason Dickneite at the Department of Natural Resources, 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/jdk

Enclosures

c: Kansas City Air Quality Program
Kansas City Regional Office
PAMS File: 2011-01-033