



Draft

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: MMYYYY-###
Expiration Date:
Installation ID: 095-0139
Project Number: 2019-11-021

Installation Name and Address

Greenwood Generating Station
14015 S. Smart Road
Greenwood, MO 64034
Jackson County

Parent Company's Name and Address

Evergy, Inc.
818 S. Kansas Ave.
Topeka, Kansas 66601

Installation Description:

This installation was originally constructed in 1975 to operate combustion turbines for the generation of electric power. The main sources of air pollutants include four (4) diesel/natural gas fired combustion turbines and two emergency generators. Other small emission sources at this installation include a solvents part washer, two (2) fixed roof storage tanks for No. 2 fuel oil, and No. 2 fuel oil unloading. This facility is a major source for Carbon Monoxide (CO), Sulfur Oxides (SO_x), Nitrogen Oxides (NO_x), Particulate Matter 10 microns or smaller (PM₁₀), Particulate Matter 2.5 microns or smaller (PM_{2.5}), and Formaldehyde, a Hazardous Air Pollutant (HAP).

Effective Date

Director or Designee
Department of Natural Resources

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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.

| <u>Emission Unit</u> | <u>Description of Emission Unit</u> |
|----------------------|--|
| EP-01 | Combustion Turbine–Unit 1 (953.5 MMBtu/hr-No.2 Fuel Oil) (1,009.6 MMBtu/hr-NG) |
| EP-02 | Combustion Turbine–Unit 2 (953.5 MMBtu/hr-No.2 Fuel Oil) (1,009.6 MMBtu/hr-NG) |
| EP-03 | Combustion Turbine–Unit 3 (953.5 MMBtu/hr-No.2 Fuel Oil) (1,009.6 MMBtu/hr-NG) |
| EP-04 | Combustion Turbine–Unit 4 (953.5 MMBtu/hr-No.2 Fuel Oil) (1,009.6 MMBtu/hr-NG) |
| EP-06 | Emergency Generator (3,058 hp – Diesel) |
| EP-12 | Miscellaneous Solvent Parts Washers |
| EP-13 | Emergency Generator (72 hp – Propane) |

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.

| <u>Emission Unit</u> | <u>Description of Emission Unit</u> |
|----------------------|--|
| EP-05 | No. 2 Fuel Oil Storage Tanks (2 Units), 2.8 Million-Gallon Capacity (Per Unit) |
| EP-07 | Tanker Fuel Loading |
| - | Emergency Generator Diesel Tank, 1,000 Gallon Capacity |

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.

| PERMIT CONDITION 001 | |
|--|--|
| 10 CSR 10-2.210 Control of Emissions from Solvent Metal Cleaning | |
| Emission Unit | Description |
| EP-12 | Miscellaneous Solvent Parts Washer(s), |

Equipment and Operation Parameters:

- 1) The permittee shall not operate or allow the operation of any cold cleaner using a cold cleaning solvent with a vapor pressure greater than 1.0 mmHg (0.019 psi) at 20°C (68°F). [2.210(3)(A)1.A.]
- 2) Each cold cleaner shall have:
 - a) A cover which will prevent the escape of solvent vapors from the solvent bath while in the closed position, or [2.210(3)(A)1.D.]
 - b) An enclosed reservoir which will prevent the escape of solvent vapors from the solvent bath whenever parts are not being processed in the cleaner. [2.210(3)(A)1.D.]
 - c) The cover shall be designed to operate easily such that minimal disturbing of the solvent vapors occur when one or more of the following conditions exist. (For covers larger than 10 square feet, this shall be accomplished by mechanical assistance such as spring loading or counter weighting or by power systems.) [2.210(3)(A)1.E.]
 - i) The solvent volatility is greater than 0.3 psi measured at 100 °F, (37.8 °C); [2.210(3)(A)1.E.(I)]
 - ii) The solvent is agitated; or [2.210(3)(A)1.E.(II)]
 - iii) The solvent is heated. [2.210(3)(A)1.E.(III)]
 - d) Each cold cleaner shall have a drainage facility which will be internal so that parts are enclosed under the cover while draining. [2.210(3)(A)1.F.]
 - e) If an internal drainage facility cannot fit into the cleaning system and the solvent volatility is less than 0.6 psi measured at 100°F, then the cold cleaner shall have an external drainage facility which provides for the solvent to drain back into the solvent bath. [2.210(3)(A)1.G.]
 - f) Solvent sprays (if used) shall be a solid fluid stream and operate at a pressure which does not cause any splashing above or beyond the freeboard. [2.210(3)(A)1.H.]
 - g) A permanent conspicuous label summarizing the operating procedures shall be affixed to the equipment. [2.210(3)(A)1.I.]
 - h) Any cold cleaner which uses a solvent that has a solvent volatility greater than 0.6 psi measured at 100°F or heated above 120°F must use one of the following control devices: [2.210(3)(A)1.J.]
 - i) A freeboard ratio of at least 0.75; [2.210(3)(A)1.J.(I)]
 - ii) Water cover; or [2.210(3)(A)1.J.(II)]
 - iii) Other control systems with a mass balance demonstrated overall VOC emissions reduction greater than or equal to sixty-five percent (65%). [2.210(3)(A)1.J.(III)]

- 3) Each cold cleaner shall be operated as follows: [2.210(3)(B)1.]
 - a) Cold cleaner covers shall be closed whenever parts are not being handled in the cleaners or the solvent must drain into an enclosed reservoir except when performing maintenance or collecting solvent samples. [2.210(3)(B)1.A.]
 - b) Cleaned parts shall be drained in the freeboard area for at least fifteen (15) seconds or until dripping ceases, whichever is longer. Parts having cavities or blind holes shall be tipped or rotated while the part is draining. During the draining, tipping, or rotating, the parts shall be positioned so that the solvent drains directly back into the cold cleaner. [2.210(3)(B)1.B.]
 - c) Whenever a cold cleaner fails to perform within the rule operating requirements, the unit shall be shutdown immediately and shall remain shutdown until operation is restored to meet rule operating requirements. [2.210(3)(B)1.C.]
 - d) Solvent leaks shall be repaired or the degreaser shall be shut down until the leaks are repaired. [2.210(3)(B)1.D.]
 - e) Any waste material removed from a cold cleaner shall be disposed of by one (1) of the following methods or an equivalent method approved by the director and EPA: [2.210(3)(B)1.E.]
 - i) Reduction of the waste material to less than twenty percent (20%) VOC solvent by distillation and proper disposal of the still bottom waste; or [2.210(3)(B)1.E.(I)]
 - ii) Stored in closed containers for transfer to a contract reclamation service or a disposal facility approved by the director and EPA. [2.210(3)(B)1.E.(II)]
 - f) Waste solvent shall be stored in covered containers only. [2.210(3)(B)1.F.]
- 4) Operators must be trained as follows: [2.210(3)(C)]
 - a) Only persons trained in at least the operational and equipment requirements specified in this regulation for their particular solvent metal cleaning process shall be permitted to operate the equipment. [2.210(3)(C)1.]
 - b) The supervisor of any person who operates a solvent metal cleaning process shall receive equal or greater operational training than the operator. [2.210(3)(C)2.]
 - c) Refresher training shall be given to all solvent metal cleaning equipment operators at least once each 12 month period. [2.210(3)(C)3.]

Monitoring/Recordkeeping:

- 1) The permittee shall keep monthly inventory records of solvent types and amounts purchased and solvent consumption. [2.210(4)(B)]
- 2) The permittee shall keep records of 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. [2.210(4)(A)]
- 3) The permittee shall keep maintenance and repair logs. [2.210(4)(A)]
- 4) A record shall be kept of solvent metal cleaning training for each employee. [2.210(4)(D)]
- 5) These records shall be made available for inspection to the Kansas City Air Quality Program and the Department of Natural Resources' personnel upon request. [2.210(4)(E)]
- 6) All records shall be maintained for five years. [2.210(4)(E)]

Reporting:

- 1) The permittee shall report to the Air Pollution Control Program's Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and AirComplianceReporting@dnr.mo.gov no later than ten days after any deviation from or exceedance of any of the terms imposed by this regulation, or any malfunction which causes a deviation from or exceedance of this regulation.

- 2) The permittee shall report any deviations from the monitoring, recordkeeping, and reporting requirements of this permit condition in the semi-annual monitoring and annual compliance certification reports required by Section V of this permit.

| PERMIT CONDITION 002 | | |
|--|---|-------------------------------------|
| 10 CSR 10-6.070 New Source Performance Standards 40 CFR Part 60 Subpart III Standards of Performance for Stationary Compression Ignition Internal Combustion Engines | | |
| Emission Unit | Description | Manufacturer/ Model # |
| EP-06 | Emergency Generator (3,058 hp – Diesel) | MTU Detroit Diesel 16v4000G43 |

Emission Limitations:

- 1) The permittee must comply with the emission standards for new nonroad CI engines in §60.4202, for all pollutants, for the same model year and maximum engine power. [§60.4205(b)]
 - a) The permittee shall comply with the emission standards in Table 1 to 40 CFR Part 60 Subpart III, for all pollutants, for the same maximum engine power. [§60.4202(b)(1)]

Table 1 – Table 1 to Subpart 40 CFR Part 60 Subpart III

| Pollutant | Emission Limit |
|-----------------|-----------------------------|
| HC | 1.3 g/KW-hr (1.0 g/HP-hr) |
| NO _x | 9.2 g/KW-hr (6.9 g/HP-hr) |
| CO | 11.4 g/KW-hr (8.5 g/HP-hr) |
| PM | 0.54 g/KW-hr (0.40 g/HP-hr) |

Operational Limitations:

- 1) The permittee must operate and maintain stationary CI ICE that achieve the emission standards as required in §§60.4204 and 60.4205 over the entire life of the engine. [§60.4206]
- 2) *Fuel Requirements.* The permittee must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. [§60.4207(b)]
- 3) The permittee must do all of the following, except as permitted under 60.4211(g): [§60.4211(a)]
 - a) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions; [§60.4211(a)(1)]
 - b) Change only those emission-related settings that are permitted by the manufacturer; and [§60.4211(a)(2)]
 - c) Meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply. [§60.4211(a)(3)]
- 4) The permittee must comply by purchasing an engine certified to the emission standards in §60.4205(b) for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in §60.4211(g). [§60.4211(c)]
- 5) The permittee must operate the emergency stationary ICE according to the requirements in §60.4211(f)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR Part 60 Subpart III, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in §60.4211(f)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in §60.4211(f)(1) through (3), the engine will not be considered an emergency engine under 40 CFR Part 60 Subpart III and must meet all requirements for non-emergency engines. [§60.4211(f)]

- 6) If the permittee does not install, configure, operate, and maintain the engine and control device according to the manufacturer's emission-related written instructions, or the permittee changes emission-related settings in a way that is not permitted by the manufacturer, the permittee must demonstrate compliance with the provisions of §60.4211(g).

Monitoring/Testing:

The permittee must install a non-resettable hour meter prior to startup of the engine. [§60.4209(a)]

General Provisions:

Table 8 to 40 CFR Part 60 Subpart III shows which parts of the General Provisions in §§60.1 through 60.19 apply.

Recordkeeping:

The permittee must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The permittee must record the time of operation of the engine and the reason the engine was in operation during that time. [§60.4214(b)]

Reporting:

The permittee shall report any deviations from the monitoring, recordkeeping, and reporting requirements of this permit condition in the semi-annual and annual compliance certification reports required by Section V of this permit.

| PERMIT CONDITION 003 | | |
|---|---|-------------------------------------|
| 10 CSR 10-6.260 Restriction of Emission of Sulfur Compounds | | |
| Emission Unit | Description | Manufacturer/ Model # |
| EP-01 | Combustion Turbine–Unit 1 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-02 | Combustion Turbine–Unit 2 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-03 | Combustion Turbine–Unit 3 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-04 | Combustion Turbine–Unit 4 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-06 | Emergency Generator (3,058 hp – Diesel) | MTU Detroit Diesel 16v4000G43 |

Note: As of issuance of this permit, 10 CSR 10-6.260 is a Federal Only requirement.¹

Emission Limitation:

1. Emissions from any new source operation shall not contain more than five hundred parts per million by volume (500 ppmv) of sulfur dioxide [6.260(3)(A)1]
2. Stack gasses shall not contain more than thirty-five milligrams per cubic meter (35 mg/m³) of sulfuric acid or sulfur trioxide or any combination of those gases averaged on any consecutive three hour time period. [6.260(3)(A)1]

Monitoring/Recordkeeping:

None, See Statement of Basis.

¹ 10 CSR 10-6.260 was rescinded from the Missouri Code of State Regulations on November 30, 2015, but remains in Missouri’s SIP and thus still remains an applicable federal regulation. Upon adoption of 10 CSR 10-6.260 into Missouri’s SIP, 10 CSR 10-6.260 will be removed from the SIP and thus this rule will no longer be applicable to the installation.

| PERMIT CONDITION 004 10 CSR 10-6.261 Control of Sulfur Dioxide Emissions ² | | |
|---|---|------------------------------|
| Emission Unit | Description | Manufacturer/ Model # |
| EP-01 | Combustion Turbine–Unit 1 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-02 | Combustion Turbine–Unit 2 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-03 | Combustion Turbine–Unit 3 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-04 | Combustion Turbine–Unit 4 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-13 | Emergency Generator (72 hp – Propane) | - |

Operational Limitation:

The liquid fuel sulfur content is limited to 8,812 parts per million (ppm) for distillate fuel. [6.261(3)(C)]

Monitoring/Recordkeeping:

- 1) The permittee shall determine compliance with the liquid fuel sulfur content limitation using fuel delivery records or fuel sampling and analysis. [6.261(3)(D)2]
- 2) If using fuel delivery records to demonstrate compliance with the liquid fuel sulfur content limitation: [6.261(4)(C)]
 - a) The permittee must maintain the fuel supplier information to certify all fuel deliveries. Bills of lading and/or other fuel delivery documentation containing the following information for all fuel purchases or deliveries are deemed acceptable to comply with the requirements of this rule:
 - i) The name, address, and contact information of the fuel supplier;
 - ii) The type of fuel;
 - iii) The sulfur content or maximum sulfur content expressed in percent sulfur by weight or in ppm sulfur; and
 - iv) The heating value of the fuel.
- 3) If using fuel sampling and analysis to demonstrate compliance with the liquid fuel sulfur content limitation:
 - a) Determine sulfur weight percent, or equivalent, of fuel(s) used to operate fuel emission sources and/or units regulated by this rule in accordance with 10 CSR 10-6.040. [6.261(5)(D)]
- 4) The permittee must furnish the Director all data necessary to determine compliance status. [6.261(4)(G)]

² This permit condition contains the applicable requirements from 10 CSR 10-6.261 as reflected in Missouri’s Code of State Regulations (CSR). This permit condition is a state requirement until this regulation is incorporated into the SIP. Once the SIP is updated, this permit condition will be both a state and federal requirement. A permit modification is not required for this change.

- 5) 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.

Reporting:

- 1) The permittee shall report any exceedance of the limitations no later than ten (10) days after the end of the month during which any record required by this permit shows an exceedance of a limitation imposed by this permit.
- 2) The permittee shall report any deviations from the monitoring, recordkeeping, and reporting requirements of this permit condition in the semi-annual monitoring and annual compliance certification reports required by Section V of this permit.
- 3) All reports and certifications shall be submitted to the Air Pollution Control Program's Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102 and AirComplianceReporting@dnr.mo.

| PERMIT CONDITION 005 ³ | | |
|--|---|----------------------------|
| 10 CSR 10-6.364 Clean Air Interstate Rule Seasonal NO _x Trading Program | | |
| Emission Unit | Description | Manufacturer/ Model # |
| EP-01 | Combustion Turbine–Unit 1 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-02 | Combustion Turbine–Unit 2 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-03 | Combustion Turbine–Unit 3 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-04 | Combustion Turbine–Unit 4 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |

Monitoring/Recordkeeping/Reporting:

The permittee shall retain the most recent CAIR permit issued to this installation on-site and shall make such permit available to any Missouri Department of Natural Resources’ personnel upon request.

See Statement of Basis.

³ The Clean Air Interstate Rule (CAIR) was replaced by the Cross State Air Pollution Rule (CSAPR) as of January 1, 2015. CAIR was rescinded from Missouri’s Code of State Regulations (CSR) effective January 30, 2019. As of permit issuance, 10 CSR 10-6.364 Clean Air Interstate Rule Seasonal NO_x Trading Program remains in the State Implementation Plan (SIP), but 10 CSR 10-6.362 Clean Air Interstate Rule Annual NO_x Trading Program and 10 CSR 10-6.366 Clean Air Interstate Rule SO₂ Trading Program have been removed from the SIP effective January 3, 2020. Once this regulation is removed from Missouri’s approved SIP, this permit condition will no longer be an applicable requirement. No action to remove the requirement from the permit is required on the part of the permittee.

| PERMIT CONDITION 006 | | |
|---|---|------------------------------|
| 10 CSR 10-6.372 Cross-State Air Pollution Rule NO _x Annual Trading Program 10 CSR 10-6.374 Cross-State Air Pollution Rule NO _x Ozone Season Group 2 Trading Program 10 CSR 10-6.376 Cross-State Air Pollution Rule Annual SO ₂ Group 1 Trading Program 40 CFR Part 97, Subpart AAAAA, CCCCC and EEEEE | | |
| Emission Unit | Description | Manufacturer/ Model # |
| EP-01 | Combustion Turbine–Unit 1 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-02 | Combustion Turbine–Unit 2 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-03 | Combustion Turbine–Unit 3 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |
| EP-04 | Combustion Turbine–Unit 4 MHDR (No.2 Fuel Oil) = 953.5 MMBtu/hr MHDR (Natural Gas) = 1,009.6 MMBtu/hr | General Electric 7821 B |

Operational Limitations:

The CSAPR subject units, and the unit-specific monitoring provisions at this source are identified in Attachment A. These units are subject to the requirements for the CSAPR NO_x Annual Trading Program, CSAPR NO_x Ozone Season Group 2 Trading Program, and CSAPR SO₂ Group 1 Trading Program.

Monitoring, Recordkeeping and Reporting:

The permittee shall conduct monitoring, maintain records and submit reports as outlined in Attachment A.

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 make such permit available within a reasonable period of time 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.

Monitoring/Recordkeeping

None. See Statement of Basis

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**
This is a State Only permit requirement.

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"; 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.

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.

- 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,

Permit Duration

10 CSR 10-6.065(5)(C)1.B, 10 CSR 10-6.065(5)(E)3.C

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.

General Record Keeping and Reporting Requirements

10 CSR 10-6.065(5)(C)1.C

- 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 available within a reasonable period of time 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 and AirComplianceReporting@dnr.mo.gov.
 - 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 (5)(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.
- 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.

Risk Management Plan Under Section 112(r)

10 CSR 10-6.065(5)(C)1.D

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.

Severability Clause

10 CSR 10-6.065(5)(C)1.F

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.

General Requirements

10 CSR 10-6.065(5)(C)1.G

- 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(5)(C)1.

Incentive Programs Not Requiring Permit Revisions

10 CSR 10-6.065(5)(C)1.H

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.

Reasonably Anticipated Operating Scenarios

10 CSR 10-6.065(5)(C)1.I

There are no reasonably anticipated operating scenarios.

Compliance Requirements

10 CSR 10-6.065(5)(C)3

- 1) Any document (including reports) required to be submitted under this permit shall contain a certification signed by the responsible official.
- 2) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized officials of the Missouri Department of Natural Resources, or their authorized agents, to perform the following (subject to the installation's right to seek confidential treatment of information submitted to, or obtained by, the Air Pollution Control Program):
 - a) Enter upon the premises where a permitted installation is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
 - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c) Inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - d) As authorized by the Missouri Air Conservation Law, Chapter 643, RSMo or the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the terms of this permit, and all applicable requirements as outlined in this permit.
- 3) All progress reports required under an applicable schedule of compliance shall be submitted semiannually (or more frequently if specified in the applicable requirement). These progress reports shall contain the following:
 - a) Dates for achieving the activities, milestones or compliance required in the schedule of compliance, and dates when these activities, milestones or compliance were achieved, and
 - b) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measures adopted.
- 4) The permittee shall submit an annual certification that it is in compliance with all of the federally enforceable terms and conditions contained in this permit, including emissions limitations, standards, or work practices. These certifications shall be submitted annually by April 1st, unless the applicable requirement specifies more frequent submission. These certifications shall be submitted to the Missouri Compliance Coordinator, Air Branch, Enforcement and Compliance Assurance Division, EPA Region 7, 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 and AirComplianceReporting@dnr.mo.gov. 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.

Permit Shield

10 CSR 10-6.065(5)(C)6

- 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.

Emergency Provisions

10 CSR 10-6.065(5)(C)7

- 1) An emergency or upset as defined in 10 CSR 10-6.065(5)(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.

Operational Flexibility

10 CSR 10-6.065(5)(C)8

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, and AirComplianceReporting@dnr.mo.gov as well as to the Missouri Compliance Coordinator, Air Branch, Enforcement and Compliance Assurance Division, EPA Region 7, 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, and AirComplianceReporting@dnr.mo.gov as well as to the Missouri Compliance Coordinator, Air Branch, Enforcement and Compliance Assurance Division, EPA Region 7, 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.

Off-Permit Changes

10 CSR 10-6.065(5)(C)9

- 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 contemporaneous⁴ written notice of the change to the Air Pollution Control Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, and AirComplianceReporting@dnr.mo.gov as well as to the Missouri Compliance Coordinator, Air Branch, Enforcement and Compliance Assurance Division, EPA Region 7, 11201 Renner Blvd., Lenexa, KS 66219. This notice shall not be required for changes that are insignificant activities under 10 CSR 10-6.065(5)(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.

Responsible Official

10 CSR 10-6.020(2)(R)34

The application utilized in the preparation of this permit was signed by John Bridson, Vice President, Generation. In addition, the following individuals have also been designated as Responsible Officials: Daniel Wilkus and Casey Bough. If the noted Responsible Officials terminate 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.

Reopening-Permit for Cause

10 CSR 10-6.065(5)(E)6

This permit shall be reopened for cause if:

- 1) The Missouri Department of Natural Resources (MoDNR) 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) MoDNR 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 Contemporaneous means that the notice shall be provided within 30 days before or after the off-permit change.

- 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) MoDNR or EPA determines that the permit must be reopened and revised to assure compliance with applicable requirements.

Statement of Basis

10 CSR 10-6.065(5)(E)1.C

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
 Cross-State Air Pollution Rule

Cross-State Air Pollution Rule (CSAPR) Trading Program Title V Requirements

Description of CSAPR Monitoring Provisions

The CSAPR subject units, and the unit-specific monitoring provisions at this source, are identified in the following table. These units are subject to the requirements for the CSAPR NO_x Annual Trading Program, the CSAPR SO₂ Group 1 Trading Program, and the CSAPR NO_x Ozone Season Group 2 Trading Program.

| Unit ID: EP-01 – EP-04 Combustion Turbines | | | | | |
|--|--|---|---|---|---|
| Parameter | Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO ₂ monitoring) and 40 CFR part 75, subpart H (for NO _x monitoring) | Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D | Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E | Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19 | EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E |
| SO ₂ | | | | X | |
| NO _x | | | | X | |
| Heat input | | | | X | |

- 1) The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435 (CSAPR NO_x Annual Trading Program), 97.830 through 97.835 (CSAPR NO_x Ozone Season Group 2 Trading Program), and 97.630 through 97.635 (CSAPR SO₂ Group 1 Trading Program), as applicable. The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable TR trading programs.
- 2) The permittee must submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA’s website at <http://www.epa.gov/airmarkets/emissions/monitoringplans.html>.
- 3) If the permittee wants to use an alternative monitoring system, the permittee must submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR part 75, subpart E and 40 CFR 75.66 and 97.435 (CSAPR NO_x Annual Trading Program), 97.835 (CSAPR NO_x Ozone Season Group 2 Trading Program), and 97.635 (CSAPR SO₂ Group 1 Trading Program), as applicable. The Administrator’s response approving or disapproving any petition for an alternative monitoring system is available on the EPA’s website at <http://www.epa.gov/airmarkets/emissions/petitions.html>.

- 4) If the permittee wants to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR 97.430 through 97.434 (CSAPR NO_x Annual Trading Program), 97.830 through 97.834 (CSAPR NO_x Ozone Season Group 2 Trading Program), and 97.630 through 97.634 (CSAPR SO₂ Group 1 Trading Program), as applicable, the permittee must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and 97.435 (CSAPR NO_x Annual Trading Program), 97.835 (CSAPR NO_x Ozone Season Group 2 Trading Program), and 97.635 (CSAPR SO₂ Group 1 Trading Program), as applicable. The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on EPA's website at <http://www.epa.gov/airmarkets/emissions/petitions.html>.
- 5) The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR 97.430 through 97.434 (CSAPR NO_x Annual Trading Program), 97.830 through 97.834 (CSAPR NO_x Ozone Season Group 2 Trading Program), and 97.630 through 97.634 (CSAPR SO₂ Group 1 Trading Program), as applicable, and therefore minor permit modification procedures, in accordance with 40 CFR 70.7(e)(2)(i)(B) may be used to add to or change this unit's monitoring system description.

CSAPR NO_x Annual Trading Program Requirements

- 1) *Designated representative requirements.* [§97.406(a)]

The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.413 through 97.418. [§97.406(a)]
- 2) *Emissions monitoring, reporting, and recordkeeping requirements.* [§97.406(b)]
 - a) The permittee, and the designated representative, of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.430 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.431 (initial monitoring system certification and recertification procedures), 97.432 (monitoring system out-of-control periods), 97.433 (notifications concerning monitoring), 97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements). [§97.406(b)(1)]
 - b) The emissions data determined in accordance with 40 CFR 97.430 through 97.435 shall be used to calculate allocations of CSAPR NO_x Annual allowances under 40 CFR 97.411(a)(2) and (b) and 97.412 and to determine compliance with the CSAPR NO_x Annual emissions limitation and assurance provisions under §97.406(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.406(b)(2)]
- 3) *NO_x emissions requirements.* [§97.406(c)]
 - a) *CSAPR NO_x Annual emissions limitation.* [§97.406(c)(1)]
 - i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR NO_x Annual allowances available for deduction for such control period under 40 CFR 97.424(a) in an amount not less than the tons of total NO_x emissions for such control period from all CSAPR NO_x Annual units at the source. [§97.406(c)(1)(i)]
 - ii) If total NO_x emissions during a control period in a given year from the CSAPR NO_x Annual units at a CSAPR NO_x Annual source are in excess of the CSAPR NO_x Annual emissions limitation set forth in §97.406(c)(1)(i), then: [§97.406(c)(1)(ii)]

- (1) The permittee shall hold the CSAPR NO_x Annual allowances required for deduction under 40 CFR 97.424(d); and [§97.406(c)(1)(ii)(A)]
 - (2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart AAAAA and the Clean Air Act. [§97.406(c)(1)(ii)(B)]
- b) *CSAPR NO_x Annual assurance provisions.* [§97.406(c)(2)]
- i) If total NO_x emissions during a control period in a given year from all TR NO_x Annual units at TR NO_x Annual sources in Missouri exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_x emissions during such control period exceeds the common designated representative's assurance level for Missouri and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO_x Annual allowances available for deduction for such control period under 40 CFR 97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.425(b), of multiplying— [§97.406(c)(2)(i)]
 - (1) The quotient of the amount by which the common designated representative's share of such NO_x emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative's share of such NO_x emissions exceeds the respective common designated representative's assurance level; and [§97.406(c)(2)(i)(A)]
 - (2) The amount by which total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in Missouri for such control period exceed the state assurance level. [§97.406(c)(2)(i)(B)]
 - ii) The permittee shall hold the CSAPR NO_x Annual allowances required under §97.406(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period. [§97.406(c)(2)(ii)]
 - iii) Total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in Missouri during a control period in a given year exceed the state assurance level if such total NO_x emissions exceed the sum, for such control period, of the Missouri NO_x Annual trading budget under 40 CFR 97.410(a) and state's variability limit under 40 CFR 97.410(b). [§97.406(c)(2)(iii)]
 - iv) It shall not be a violation of 40 CFR part 97, subpart AAAAA or of the Clean Air Act if total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in Missouri during a control period exceed the state assurance level or if a common designated representative's share of total NO_x emissions from the CSAPR NO_x Annual units at CSAPR NO_x Annual sources in Missouri during a control period exceeds the common designated representative's assurance level. [§97.406(c)(2)(iv)]
 - v) To the extent the permittee fails to hold CSAPR NO_x Annual allowances for a control period in a given year in accordance with §97.406(c)(2)(i) through (iii), [§97.406(c)(2)(v)]
 - (1) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and [§97.406(c)(2)(v)(A)]
 - (2) Each CSAPR NO_x Annual allowance that the permittee fails to hold for such control period in accordance with §97.406(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR part 97, subpart AAAAA and the Clean Air Act. [§97.406(c)(2)(v)(B)]

- c) *Compliance periods.* [§97.406(c)(3)]
- i) A CSAPR NO_x Annual unit shall be subject to the requirements under §97.406(c)(1) for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter. [§97.406(c)(3)(i)]
 - ii) A CSAPR NO_x Annual unit shall be subject to the requirements under §97.406(c)(2) for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter. [§97.406(c)(3)(ii)]
- d) *Vintage of allowances held for compliance.* [§97.406(c)(4)]
- (i). A CSAPR NO_x Annual allowance held for compliance with the requirements under §97.406(c)(1)(i) for a control period in a given year must be a CSAPR NO_x Annual allowance that was allocated for such control period or a control period in a prior year. [§97.406(c)(4)(i)]
 - (ii). A CSAPR NO_x Annual allowance held for compliance with the requirements under §97.406(c)(1)(ii)(A) and (2)(i) through (iii) for a control period in a given year must be a CSAPR NO_x Annual allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year. [§97.406(c)(4)(ii)]
- e) *Allowance Management System requirements.* Each CSAPR NO_x Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR part 97, subpart AAAAA. [§97.406(c)(5)]
- f) *Limited authorization.* A CSAPR NO_x Annual allowance is a limited authorization to emit one ton of NO_x during the control period in one year. Such authorization is limited in its use and duration as follows: [§97.406(c)(6)]
- i) Such authorization shall only be used in accordance with the CSAPR NO_x Annual Trading Program; and [§97.406(c)(6)(i)]
 - ii) Notwithstanding any other provision of 40 CFR part 97, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.406(c)(6)(ii)]
- g) *Property right.* A CSAPR NO_x Annual allowance does not constitute a property right. [§97.406(c)(7)]
- 4) *Title V permit revision requirements.* [§97.406(d)]
- a) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO_x Annual allowances in accordance with 40 CFR part 97, subpart AAAAA. [§97.406(d)(1)]
 - b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.430 through 97.435, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 40 CFR 70.7(e)(2)(i)(B). [§97.406(d)(2)]
- 5) *Additional recordkeeping and reporting requirements.* [§97.406(e)]
- a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator. [§97.406(e)(1)]
 - i) The certificate of representation under 40 CFR 97.416 for the designated representative for the source and each CSAPR NO_x Annual unit at the source and all documents that demonstrate the truth

- of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.416 changing the designated representative. [§97.406(e)(1)(i)]
- ii) All emissions monitoring information, in accordance with 40 CFR part 97, subpart AAAAA. [§97.406(e)(1)(ii)]
 - iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO_x Annual Trading Program. [§97.406(e)(1)(iii)]
- b) The designated representative of a CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall make all submissions required under the CSAPR NO_x Annual Trading Program, except as provided in 40 CFR 97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR parts 70 and 71. [§97.406(e)(2)]
- 6) *Liability.* [§97.406(f)]
- a) Any provision of the CSAPR NO_x Annual Trading Program that applies to a CSAPR NO_x Annual source or the designated representative of a CSAPR NO_x Annual source shall also apply to the permittee. [§97.406(f)(1)]
 - b) Any provision of the CSAPR NO_x Annual Trading Program that applies to a CSAPR NO_x Annual unit or the designated representative of a CSAPR NO_x Annual unit shall also apply to the permittee. [§97.406(f)(2)]
- 7) *Effect on other authorities.* [§97.406(g)]
- No provision of the CSAPR NO_x Annual Trading Program or exemption under 40 CFR 97.405 shall be construed as exempting or excluding the permittee, and the designated representative, of a CSAPR NO_x Annual source or CDAPR NO_x Annual unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

CSAPR NO_x Ozone Season Trading Program Requirements

- 1) *Designated representative requirements.* [§97.806(a)]
- The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.813 through 97.818. [§97.406(a)]
- 2) *Emissions monitoring, reporting, and recordkeeping requirements.* [§97.806(b)]
- a) The permittee, and the designated representative, of each CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.830 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.831 (initial monitoring system certification and recertification procedures), 97.832 (monitoring system out-of-control periods), 97.833 (notifications concerning monitoring), 97.834 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.835 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements). [§97.806(b)(1)]
 - b) The emissions data determined in accordance with §§97.830 through 97.835 shall be used to calculate allocations of CSAPR NO_x Ozone Season Group 2 allowances under §§97.811(a)(2) and (b) and 97.812 and to determine compliance with the CSAPR NO_x Ozone Season Group 2 emissions limitation and assurance provisions under §97.806(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in

accordance with §§97.830 through 97.835 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.806(b)(2)]

3) *NO_x emissions requirements.* [§97.806(c)]

a) CSAPR NO_x Ozone Season Group 2 emissions limitation. [§97.806(c)(1)]

i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR NO_x Ozone Season Group 2 allowances available for deduction for such control period under §97.824(a) in an amount not less than the tons of total NO_x emissions for such control period from all CSAPR NO_x Ozone Season Group 2 units at the source. [§97.806(c)(1)(i)]

ii) If total NO_x emissions during a control period in a given year from the CSAPR NO_x Ozone Season Group 2 units at a CSAPR NO_x Ozone Season Group 2 source are in excess of the CSAPR NO_x Ozone Season Group 2 emissions limitation set forth in §97.806(c)(1)(i), then: [§97.806(c)(1)(ii)]

(1) The permittee shall hold the CSAPR NO_x Ozone Season Group 2 allowances required for deduction under §97.824(d); and [§97.806(c)(1)(ii)(A)]

(2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97 Subpart EEEEE and the Clean Air Act. [§97.806(c)(1)(ii)(B)]

b) *CSAPR NO_x Ozone Season Group 2 assurance provisions.* [§97.806(c)(2)]

i) (i) If total NO_x emissions during a control period in a given year from all base CSAPR NO_x Ozone Season Group 2 units at base CSAPR NO_x Ozone Season Group 2 sources in a State (and Indian country within the borders of such State) exceed the State assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_x emissions during such control period exceeds the common designated representative's assurance level for the State and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO_x Ozone Season Group 2 allowances available for deduction for such control period under §97.825(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.825(b), of multiplying— [§97.806(c)(2)(i)]

(1) The quotient of the amount by which the common designated representative's share of such NO_x emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative's share of such NO_x emissions exceeds the respective common designated representative's assurance level; and [§97.806(c)(2)(i)(A)]

(2) The amount by which total NO_x emissions from all base CSAPR NO_x Ozone Season Group 2 units at base CSAPR NO_x Ozone Season Group 2 sources in Missouri for such control period exceed the State assurance level. [§97.806(c)(2)(i)(B)]

ii) The permittee shall hold the CSAPR NO_x Ozone Season Group 2 allowances required under §97.806(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.806(c)(2)(ii)]

iii) Total NO_x emissions from all base CSAPR NO_x Ozone Season Group 2 units at base CSAPR NO_x Ozone Season Group 2 sources in Missouri during a control period in a given year exceed the State assurance level if such total NO_x emissions exceed the sum, for such control period, of the State NO_x Ozone Season Group 2 trading budget under §97.810(a) and the State's variability limit under §97.810(b). [§97.806(c)(2)(iii)]

- iv) It shall not be a violation of 40 CFR PART 97 Subpart EEEEE or of the Clean Air Act if total NO_x emissions from all base CSAPR NO_x Ozone Season Group 2 units at base CSAPR NO_x Ozone Season Group 2 sources in Missouri during a control period exceed the State assurance level or if a common designated representative's share of total NO_x emissions from the base CSAPR NO_x Ozone Season Group 2 units at base CSAPR NO_x Ozone Season Group 2 sources in Missouri during a control period exceeds the common designated representative's assurance level. [§97.806(c)(2)(iv)]
- v) To the extent the permittee fails to hold CSAPR NO_x Ozone Season Group 2 allowances for a control period in a given year in accordance with §97.806(c)(2)(i) through (iii), [§97.806(c)(2)(v)]
 - (1) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and [§97.806(c)(2)(v)(A)]
 - (2) Each CSAPR NO_x Ozone Season Group 2 allowance that the permittee fails to hold for such control period in accordance with §97.806(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97 Subpart EEEEE and the Clean Air Act. [§97.806(c)(2)(v)(B)]
- c) *Compliance periods.* [§97.806(c)(3)]
 - i) A CSAPR NO_x Ozone Season Group 2 unit shall be subject to the requirements under §97.806(c)(1) for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.830(b) and for each control period thereafter. [§97.806(c)(3)(i)]
 - ii) A base CSAPR NO_x Ozone Season Group 2 unit shall be subject to the requirements under §97.806(c)(2) for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.830(b) and for each control period thereafter. [§97.806(c)(3)(ii)]
- d) *Vintage of CSAPR NO_x Ozone Season Group 2 allowances held for compliance.* [§97.806(c)(4)]
 - i) A CSAPR NO_x Ozone Season Group 2 allowance held for compliance with the requirements under §97.806(c)(1)(i) for a control period in a given year must be a CSAPR NO_x Ozone Season Group 2 allowance that was allocated or auctioned for such control period or a control period in a prior year. [§97.806(c)(4)(i)]
 - ii) A CSAPR NO_x Ozone Season Group 2 allowance held for compliance with the requirements under §97.806(c)(1)(ii)(A) and (c)(2)(i) through (iii) for a control period in a given year must be a CSAPR NO_x Ozone Season Group 2 allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year. [§97.806(c)(4)(ii)]
- e) *Allowance Management System requirements.* Each CSAPR NO_x Ozone Season Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97 Subpart EEEEE. [§97.806(c)(5)]
- f) *Limited authorization.* A CSAPR NO_x Ozone Season Group 2 allowance is a limited authorization to emit one ton of NO_x during the control period in one year. Such authorization is limited in its use and duration as follows: [§97.806(c)(6)]
 - i) Such authorization shall only be used in accordance with the CSAPR NO_x Ozone Season Group 2 Trading Program; and [§97.806(c)(6)(i)]
 - ii) Notwithstanding any other provision of 40 CFR Part 97 Subpart EEEEE, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.806(c)(6)(ii)]
- g) *Property right.* A CSAPR NO_x Ozone Season Group 2 allowance does not constitute a property right. [§97.806(c)(7)]

- 4) *Title V permit requirements.* [§97.806(d)]
- a) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO_x Ozone Season Group 2 allowances in accordance with 40 CFR Part 97 Subpart EEEEE. [§97.806(d)(1)]
 - b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.830 through 97.835, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with §70.7(e)(2)(i)(B). [§97.806(d)(2)]
- 5) *Additional recordkeeping and reporting requirements.* [§97.806(e)]
- a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator. [§97.806(e)(1)]
 - i) The certificate of representation under §97.816 for the designated representative for the source and each CSAPR NO_x Ozone Season Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.816 changing the designated representative. [§97.806(e)(1)(i)]
 - ii) All emissions monitoring information, in accordance with 40 CFR Part 97 Subpart EEEEE. [§97.806(e)(1)(ii)]
 - iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO_x Ozone Season Group 2 Trading Program. [§97.806(e)(1)(iii)]
 - b) The designated representative of a CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NO_x Ozone Season Group 2 Trading Program, except as provided in §97.818. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [§97.806(e)(2)]
- 6) *Liability.* [§97.806(f)]
- a) Any provision of the CSAPR NO_x Ozone Season Group 2 Trading Program that applies to a CSAPR NO_x Ozone Season Group 2 source or the designated representative of a CSAPR NO_x Ozone Season Group 2 source shall also apply to the permittee. [§97.806(f)(1)]
 - b) Any provision of the CSAPR NO_x Ozone Season Group 2 Trading Program that applies to a CSAPR NO_x Ozone Season Group 2 unit or the designated representative of a CSAPR NO_x Ozone Season Group 2 unit shall also apply to the permittee. [§97.806(f)(2)]
- 7) *Effect on other authorities.* [§97.806(g)]
- a) No provision of the CSAPR NO_x Ozone Season Group 2 Trading Program or exemption under §97.805 shall be construed as exempting or excluding the permittee, and the designated representative, of a CSAPR NO_x Ozone Season Group 2 source or CSAPR NO_x Ozone Season Group 2 unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

CSAPR SO₂ Group 1 Trading Program Requirements

- 1) *Designated representative requirements.* [§97.606(a)]
 - a) The permittee shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with §§97.613 through 97.618.
- 2) *Emissions monitoring, reporting, and recordkeeping requirements.* [§97.606(b)]
 - a) The permittee, and the designated representative, of each CSAPR SO₂ Group 1 source and each CSAPR SO₂ Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.630 (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.631 (initial monitoring system certification and recertification procedures), 97.632 (monitoring system out-of-control periods), 97.633 (notifications concerning monitoring), 97.634 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.635 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements). [§97.606(b)(1)]
 - b) The emissions data determined in accordance with §§97.630 through 97.635 shall be used to calculate allocations of CSAPR SO₂ Group 1 allowances under §§97.611(a)(2) and (b) and 97.612 and to determine compliance with the CSAPR SO₂ Group 1 emissions limitation and assurance provisions under §97.606(c), provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with §§97.630 through 97.635 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero. [§97.606(b)(2)]
- 3) *SO₂ emissions requirements.* [§97.606(c)]
 - a) *CSAPR SO₂ Group 1 emissions limitation.* [§97.606(c)(1)]
 - i) As of the allowance transfer deadline for a control period in a given year, the permittee shall hold, in the source's compliance account, CSAPR SO₂ Group 1 allowances available for deduction for such control period under §97.624(a) in an amount not less than the tons of total SO₂ emissions for such control period from all CSAPR SO₂ Group 1 units at the source. [§97.606(c)(1)(i)]
 - ii) If total SO₂ emissions during a control period in a given year from the CSAPR SO₂ Group 1 units at a CSAPR SO₂ Group 1 source are in excess of the CSAPR SO₂ Group 1 emissions limitation set forth in §97.606(c)(1)(i), then: [§97.606(c)(1)(ii)]
 - (1) The permittee shall hold the CSAPR SO₂ Group 1 allowances required for deduction under §97.624(d); and [§97.606(c)(1)(ii)(A)]
 - (2) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97 Subpart CCCCC and the Clean Air Act. [§97.606(c)(1)(ii)(B)]
 - b) *CSAPR SO₂ Group 1 assurance provisions.* [§97.606(c)(2)]
 - i) If total SO₂ emissions during a control period in a given year from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in Missouri exceed the State assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO₂ emissions during such control period exceeds the common designated representative's assurance level for Missouri and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR SO₂ Group 1 allowances available for deduction for such control period under §97.625(a) in an amount equal to two times the

product (rounded to the nearest whole number), as determined by the Administrator in accordance with §97.625(b), of multiplying— [§97.606(c)(2)(i)]

- (1) The quotient of the amount by which the common designated representative's share of such SO₂ emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in Missouri for such control period, by which each common designated representative's share of such SO₂ emissions exceeds the respective common designated representative's assurance level; and [§97.606(c)(2)(A)]
 - (2) The amount by which total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in Missouri for such control period exceed the State assurance level. [§97.606(c)(2)(i)(B)]
- ii) The permittee shall hold the CSAPR SO₂ Group 1 allowances required under §97.606(c)(2)(i), as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period. [§97.606(c)(2)(ii)]
 - iii) Total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in Missouri during a control period in a given year exceed the State assurance level if such total SO₂ emissions exceed the sum, for such control period, of the State SO₂ Group 1 trading budget under §97.610(a) and the State's variability limit under §97.610(b). [§97.606(c)(2)(iii)]
 - iv) It shall not be a violation of 40 CFR Part 97 Subpart CCCC or of the Clean Air Act if total SO₂ emissions from all CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in Missouri during a control period exceed the State assurance level or if a common designated representative's share of total SO₂ emissions from the CSAPR SO₂ Group 1 units at CSAPR SO₂ Group 1 sources in Missouri during a control period exceeds the common designated representative's assurance level. [§97.606(c)(2)(iv)]
 - v) To the extent permittee fails to hold CSAPR SO₂ Group 1 allowances for a control period in a given year in accordance with §97.606(c)(2)(i) through (iii), [§97.606(c)(2)(v)]
 - (1) The permittee shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and [§97.606(c)(2)(v)(A)]
 - (2) Each CSAPR SO₂ Group 1 allowance that the permittee fails to hold for such control period in accordance with §97.606(c)(2)(i) through (iii) and each day of such control period shall constitute a separate violation of 40 CFR Part 97 Subpart CCCC and the Clean Air Act. [§97.606(c)(2)(v)(B)]
- c) *Compliance periods.* [§97.606(c)(3)]
- i) A CSAPR SO₂ Group 1 unit shall be subject to the requirements under §97.606(c)(1) for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under §97.630(b) and for each control period thereafter. [§97.606(c)(3)(i)]
 - ii) A CSAPR SO₂ Group 1 unit shall be subject to the requirements under §97.606(c)(2) for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under §97.630(b) and for each control period thereafter. [§97.606(c)(3)(ii)]
- d) *Vintage of CSAPR SO₂ Group 1 allowances held for compliance.* [§97.606(c)(4)]
- i) A CSAPR SO₂ Group 1 allowance held for compliance with the requirements under §97.606(c)(1)(i) for a control period in a given year must be a CSAPR SO₂ Group 1 allowance that was allocated or auctioned for such control period or a control period in a prior year. [§97.606(c)(4)(i)]
 - ii) A CSAPR SO₂ Group 1 allowance held for compliance with the requirements under §97.606(c)(1)(ii)(A) and (2)(i) through (iii) for a control period in a given year must be a CSAPR

- SO₂ Group 1 allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year. [§97.606(c)(4)(ii)]
- e) *Allowance Management System requirements.* Each CSAPR SO₂ Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97 Subpart CCCCC. [§97.606(c)(5)]
 - f) *Limited authorization.* A CSAPR SO₂ Group 1 allowance is a limited authorization to emit one ton of SO₂ during the control period in one year. Such authorization is limited in its use and duration as follows: [§97.606(c)(6)]
 - i) Such authorization shall only be used in accordance with the CSAPR SO₂ Group 1 Trading Program; and [§97.606(c)(6)(i)]
 - ii) Notwithstanding any other provision of 40 CFR Part 97 Subpart CCCCC, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act. [§97.606(c)(6)(ii)]
 - g) *Property right.* A CSAPR SO₂ Group 1 allowance does not constitute a property right. [§97.606(c)(7)]
- 4) *Title V permit requirements.* [§97.606(d)]
- a) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO₂ Group 1 allowances in accordance with 40 CFR Part 97 Subpart CCCCC. [§97.606(d)(1)]
 - b) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 40 CFR 97.630 through 97.635, and the requirements for a continuous emission monitoring system (pursuant to 40 CFR part 75, subparts B and H), an excepted monitoring system (pursuant to 40 CFR part 75, appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR part 75.19), and an alternative monitoring system (pursuant to 40 CFR part 75, subpart E), Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this title V permit using minor permit modification procedures in accordance with 70.7(e)(2)(i)(B). [§97.606(d)(1)]
- 5) *Additional recordkeeping and reporting requirements.* [§97.606(e)]
- a) Unless otherwise provided, the permittee shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator. [§97.606(e)(1)]
 - i) The certificate of representation under §97.616 for the designated representative for the source and each CSAPR SO₂ Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under §97.616 changing the designated representative. [§97.606(e)(1)(i)]
 - ii) All emissions monitoring information, in accordance with 40 CFR Part 97 Subpart CCCCC. [§97.606(e)(1)(ii)]
 - iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO₂ Group 1 Trading Program. [§97.606(e)(1)(iii)]
 - b) The designated representative of a CSAPR SO₂ Group 1 source and each CSAPR SO₂ Group 1 unit at the source shall make all submissions required under the CSAPR SO₂ Group 1 Trading Program, except as provided in §97.618. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70. [§97.606(e)(2)]

6) *Liability.* [§97.606(f)]

- a) Any provision of the CSAPR SO₂ Group 1 Trading Program that applies to a CSAPR SO₂ Group 1 source or the designated representative of a CSAPR SO₂ Group 1 source shall also apply to the permittee. [§97.606(f)(1)]
- b) Any provision of the CSAPR SO₂ Group 1 Trading Program that applies to a CSAPR SO₂ Group 1 unit or the designated representative of a CSAPR SO₂ Group 1 unit shall also apply to the permittee. [§97.606(f)(2)]

7) *Effect on other authorities.* [§97.606(g)]

- a) No provision of the CSAPR SO₂ Group 1 Trading Program or exemption under §97.605 shall be construed as exempting or excluding the permittee, and the designated representative, of a CSAPR SO₂ Group 1 source or CSAPR SO₂ Group 1 unit from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

STATEMENT OF BASIS

Installation Description

This installation was originally constructed in 1975 to operate combustion turbines for the generation of electric power. The main sources of air pollutants include four (4) diesel/natural gas fired combustion turbines and two emergency generators. Other small emission sources at this installation include a solvents part washer, two (2) fixed roof storage tanks for No. 2 fuel oil, and No. 2 fuel oil unloading. This facility is a major source for Carbon Monoxide (CO), Sulfur Oxides (SO_x), Nitrogen Oxides (NO_x), Particulate Matter 10 microns or smaller (PM₁₀), Particulate Matter 2.5 microns or smaller (PM_{2.5}), and Formaldehyde, a Hazardous Air Pollutant (HAP).

Table 1 - Updated Potential to Emit for the Installation and Reported Air Pollutant Emissions, tons per year

| Pollutants | Potential Emissions ¹ | Reported Emissions | | | | |
|--|----------------------------------|--------------------|-------|-------|-------|-------|
| | | 2019 | 2018 | 2017 | 2016 | 2015 |
| Particulate Matter ≤ Ten Microns (PM ₁₀) | > 100.00 | 1.33 | 1.19 | 0.82 | 1.41 | 2.70 |
| Particulate Matter ≤ 2.5 Microns (PM _{2.5}) | > 100.00 | 1.33 | 1.19 | 0.82 | 1.41 | 2.70 |
| Sulfur Oxides (SO _x) | > 100.00 | 1.56 | 2.02 | 0.37 | 0.13 | 0.26 |
| Nitrogen Oxides (NO _x) | > 100.00 | 30.99 | 25.13 | 16.03 | 26.90 | 57.09 |
| Volatile Organic Compounds (VOC) | 47.21 | 1.43 | 1.17 | 1.06 | 0.85 | 1.26 |
| Carbon Monoxide (CO) | > 100.00 | 15.73 | 13.96 | 9.94 | 17.52 | 33.61 |
| Hazardous Air Pollutants (HAPs) | 18.22 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Formaldehyde (50-00-0) | > 10.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

The potential to emit (PTE) was calculated assuming 8,760 hours of operation for the four combustion turbines and 500 hours per year for the emergency generators. Fugitive emissions were not included in the PTE because the facility is not on the List of Named Installations found in 10 CSR 10-6.020(3)(B), Table 2.

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 November 18, 2019;
- 2) 2019 Emissions Inventory Questionnaire, received April 29, 2020;
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition;
- 4) Clean Air Interstate Rule (CAIR) Permit Application;
- 5) Operating Permit # OP2014-013; and
- 6) Operating Permit Amendment # OP2014-013A.

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 10-2.260, Control of Emissions During Petroleum Liquid Storage, Loading, and Transfer

This regulation applies throughout Clay, Jackson, and Platte Counties to petroleum storage tanks with a capacity greater than forty thousand (40,000) gallons, the loading of gasoline into delivery vessels, and the transfer of gasoline from delivery vessels into stationary storage containers. The No.2 Fuel Oil Storage Tanks (EP-05) are not subject to the provisions of this regulation because No.2 Fuel Oil does not meet the definition of “petroleum liquid” as defined per 2.260(2)(O). The tanker fuel unloading is not subject to the provisions of this regulation, as no gasoline is loaded/unloaded. Therefore, this regulation does not apply to the installation.

10 CSR 10-6.100, Alternate Emission Limits

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

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

This regulation applies to all sources of visible emissions throughout the state of Missouri. There are two versions of this regulation that are in effect: the Missouri’s State Implementation Plan (SIP) version and the Code of State Regulations (CSR) version. The differences are due to revisions to the CSR that have not been incorporated into the SIP. As it applies to this installation, the CSR version of 6.220 has an exemption for fugitive emission sources while the SIP version does not include this exemption. However, fugitive emissions at the installation cannot be reasonably monitored by the SIP version of 6.220 and are already regulated by 10 CSR 10-6.170. Therefore, this regulation has not been applied to these sources. The emission units at the installation that are potential sources of visible emissions are included in Table 2 below. This regulation does not appear in this operating permit.

Table 2 – Applicability Determination for 10 CSR 10-6.220

| Emission Unit | Description | 10 CSR 10-6.220 | 10 CSR 10-6.170 |
|----------------------|---|----------------------------|------------------------|
| EP-01 | Combustion Turbine – Unit 1 | Exempt per (1)(A) – I.C.E. | |
| EP-02 | Combustion Turbine – Unit 2 | Exempt per (1)(A) – I.C.E. | |
| EP-03 | Combustion Turbine – Unit 3 | Exempt per (1)(A) – I.C.E. | |
| EP-04 | Combustion Turbine – Unit 4 | Exempt per (1)(A) – I.C.E. | |
| EP-05 | No. 2 Fuel Oil Storage Tanks ¹ | | X |
| EP-06 | Emergency Generator | Exempt per (1)(A) – I.C.E. | |
| EP-07 | Tanker Fuel Unloading ¹ | | X |
| EP-12 | Solvent Parts Washer ¹ | | X |
| EP-13 | Emergency Generator | Exempt per (1)(A) – I.C.E. | |

“X” indicates the emission unit is subject to the provisions of the specified regulation.

¹ These emission units are fugitive emission sources that are regulated under 6.170 and exempt from the CSR version of 6.220 per (1)(K). The emissions from these emission units classify as fugitive because the emissions cannot reasonably pass through a stack, chimney, vent, or other functionally equivalent opening, and the emissions units are not located within a building where emissions could be released through a building vent. For the SIP version of this regulation, these fugitive emissions cannot be reasonably monitored under this regulation and are regulated under 10 CSR 10-6.170; therefore, this rule is not applied to these emission units in this permit.

10 CSR 10-6.270, Acid Rain Source Permits Required

This installation is not required to obtain an acid rain permit because it qualifies for the exemption in 40 CFR §72.6(b)(1) for the Combustion Turbines – Units 1 through 4 (EP-01, EP-02, EP-03, and EP-04).

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

This regulation applies to any operation, process, or activity that emits particulate matter. The emission units at the installation that are potential sources of particulate matter emissions are included in Table 3. This regulation does not apply to the installation.

Table 3 – Applicability Determination for 10 CSR 10-6.400

| Emission Unit | Description | Applicability Determination |
|----------------------|---|--|
| EP-01 | Combustion Turbine – Unit 1 | N/A - gaseous/liquid fuels do not meet definition of process weight. |
| EP-02 | Combustion Turbine – Unit 2 | N/A - gaseous/liquid fuels do not meet definition of process weight. |
| EP-03 | Combustion Turbine – Unit 3 | N/A - gaseous/liquid fuels do not meet definition of process weight. |
| EP-04 | Combustion Turbine – Unit 4 | N/A - gaseous/liquid fuels do not meet definition of process weight. |
| EP-05 | No. 2 Fuel Oil Storage Tanks ¹ | Exempt per 6.400(1)(B)7. – Fugitive Emissions |
| EP-06 | Emergency Generator | N/A - gaseous/liquid fuels do not meet definition of process weight. |
| EP-07 | Tanker Fuel Unloading ¹ | Exempt per 6.400(1)(B)7. – Fugitive Emissions |
| EP-12 | Solvent Parts Washer ¹ | Exempt per 6.400(1)(B)7. – Fugitive Emissions |
| EP-13 | Emergency Generator | N/A - gaseous/liquid fuels do not meet definition of process weight. |

“X” indicates the emission unit is subject to the provisions of the specified regulation.

¹ The emissions from these emission units is considered fugitive because the emissions cannot reasonably pass through a stack, chimney, vent, or other functionally equivalent opening, and these emissions units are not located within a building where emissions could be released through a building vent.

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

This regulation applies to installations in which fuel is burned for the primary purpose of producing steam, hot water, or hot air or other indirect heating of liquids, gases, or solids and, in the course of doing so, the products of combustion do not come into direct contact with process materials. There are no indirect heating sources at the installation; therefore, this regulation does not apply.

Construction Permit History

No construction permits have been issued to this facility.

New Source Performance Standards (NSPS) Applicability

40 CFR 60 Subpart K, *Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978*

This subpart applies to each storage vessel for petroleum liquids which has a storage capacity greater than 151,412 liters (40,000 gallons). *Petroleum liquids* does not mean Nos. 2 through 6 fuel oils as

specified in ASTM D396-78, 89, 90, 92, 96, or 98 per §60.111(b). Therefore, this subpart does not apply to the No. 2 fuel oil storage tanks.

Subpart Ka, Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984

This subpart applies to each storage vessel with a storage capacity greater than 151,416 liters (40,000 gallons) that is used to store petroleum liquids for which construction is commenced after May 18, 1978. *Petroleum liquids* does not mean Nos. 2 through 6 fuel oils as specified in ASTM D396-78, 89, 90, 92, 96, or 98 per §60.111a(b). Therefore, this subpart does not apply to the No. 2 fuel oil storage tanks.

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 subpart applies to each storage vessel with a capacity greater than or equal to 75 cubic meters (m³) that is used to store volatile organic liquids (VOL) for which construction, reconstruction, or modification is commenced after July 23, 1984. The No. 2 Fuel Oil Storage Tanks (EP-05) were constructed in 1974, and therefore, the installation is not subject to this subpart.

40 CFR 60 Subpart GG, Standards of Performance for Stationary Gas Turbines

This subpart is applicable to all stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules (10 million Btu) per hour, based on the lower heating value of the fuel fired, which commences construction, modification, or reconstruction after October 3, 1977. This subpart does not apply to the installation.

- Greenwood Energy Center has documentation of a contractual obligation with the turbine manufacturer for all four turbines.
- This was dated October 8, 1976. Subpart GG applies to any facility “which commences construction, modification, or reconstruction after October 3, 1977”. “Construction” is defined by 40 CFR Section 60.2(g) as “fabrication, erection of installation of an affected facility.” “Commenced” is defined by 40 CFR Section 60.2(i) to mean “that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.” As the regulation indicates, the element of “commencement” can be satisfied by the existence of a “contractual obligation”.
- Since Greenwood did commence construction before the effective date of Subpart GG (shown by contractual obligation), then Subpart GG does not apply.

40 CFR Part 60 Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines

This subpart applies to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE). This subpart does not apply to the diesel emergency generator (EP-06) because it is not a spark ignition combustion engine. This subpart contains no requirements for engines less than 500 hp that were manufactured prior to July 1, 2008; therefore, it was not applied to the natural gas generator (EP-13).

40 CFR Part 60 Subpart III, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*

This subpart applies to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE). This subpart applies to the diesel emergency generator (EP-06); however, it does not apply to the natural gas emergency generator (EP-13) because it is not a compression ignition internal combustion engine. The provisions of this subpart appear in Permit Condition 002 of this operating permit.

Maximum Achievable Control Technology (MACT) Applicability

40 CFR Part 63 Subpart T, *National Emission Standards for Halogenated Solvent Cleaning*

This subpart applies to each individual batch vapor, in-line vapor, in-line cold, and batch cold solvent cleaning machine that uses any solvent containing methylene chloride (CAS No. 75-09-2), perchloroethylene (CAS No. 127-18-4), trichloroethylene (CAS No. 79-01-6), 1,1,1-trichloroethane (CAS No. 71-55-6), carbon tetrachloride (CAS No. 56-23-5) or chloroform (CAS No. 67-66-3), or any combination of these halogenated HAP solvents, in a total concentration greater than 5 percent by weight, as a cleaning and/or drying agent. The Solvent Parts Washer (EP-12) does not contain any of the listed halogenated HAP solvents according to the Safety Data Sheet (SDS) submitted by the installation.

40 CFR Part 63 Subpart YYYY, *National Emission Standard for Hazardous Air Pollutants for Stationary Combustion Turbines.*

This subpart applies to stationary combustion turbines located at major sources of HAP emissions. This facility is a major source of HAPs (due to the potential to emit formaldehyde is greater than 10 tons/year). However, according to §63.6090(b)(4), “Existing stationary combustion turbines in all subcategories do not have to meet the requirements of this subpart and of subpart A of this part. No initial notification is necessary for any existing stationary combustion turbine, even if a new or reconstructed turbine in the same category would require an initial notification.” The four turbines were installed in 1975 and therefore meet the definition of existing stationary combustion turbine under §63.6090(a)(1) which is defined as being constructed or reconstructed on or before January 14, 2003. Therefore this subpart does not apply to the installation.

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

This subpart applies to stationary RICE at a major or area source of HAP emissions. The diesel fueled emergency generator (EP-06) is not subject to the provisions of subpart ZZZZ due to the size of the engine, the date of manufacture of the unit and the classification of the unit as “emergency” use only. The natural gas emergency generator (EP-13) is subject to this subpart however the only requirements from this subpart for this unit is to meet the applicable requirements from 40 CFR Part 60 Subpart JJJJ. Currently there are no standards in Subpart JJJJ that apply to this unit therefore neither Subpart ZZZZ nor Subpart JJJJ was applied to this emission unit.

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

40 CFR Part 61, Subpart M – *National Emission Standards for Asbestos*

This subpart is applicable to the installation and appears in the Core Permit Requirements.

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.

Greenhouse Gas Emissions

Note that this source may be subject to the Greenhouse Gas Reporting Rule. However, the preamble of the GHG Reporting Rule clarifies that Part 98 requirements do not have to be incorporated in Part 70 permits operating permits at this time. In addition, Missouri regulations do not require the installation to report CO₂ emissions in their Missouri Emissions Inventory Questionnaire; therefore, the installation's CO₂ emissions were not included within this permit. The applicant is required to report the data directly to EPA. The public may obtain CO₂ emissions data for this installation by visiting <http://epa.gov/ghgreporting/ghgdata/reportingdatasets.html>.

Other Regulatory Determinations

10 CSR 10-2.210, *Control of Emissions from Solvent Metal Cleaning*

This regulation shall apply throughout Clay, Jackson and Platte Counties to all installations which emit volatile organic compounds (VOC) from solvent metal cleaning or degreasing operations. The installation operates a Solvents Parts Washer (EP-12) that has the potential to emit VOCs; therefore, this regulation applies to the installation and appears in this operating permit as Permit Condition 001.

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

This regulation restricts the emission of particulate matter to the ambient air beyond the premises of origin and appears in the Core Permit Requirements section of this operating permit. The installation does not have any fugitive particulate matter emission sources; therefore, monitoring and recordkeeping are not required.

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

This regulation applies to any installation that is an emission source of sulfur compounds. This regulation was rescinded from the code of state regulations (CSR). However, this regulation is still contained in Missouri's State Implementation Plan (SIP). This regulation is a federal requirement until it is removed from the SIP, therefore it must appear in this Operating Permit.

The Combustion Turbines – units 1 through 4 (EP-01, EP-02, EP-03, and EP-04) and the diesel fueled emergency generator (EP-06) are subject to this regulation. The fuel for these emission units consists of natural gas and distillate fuel. These emission units demonstrate compliance with 6.260 by complying with the applicable fuel sulfur requirement of 8,812 ppm (0.8812%) required in 10 CSR 10-6.261 *Control of Sulfur Dioxide Emissions*. Permit Condition 004 requires the installation to keep fuel records to demonstrate compliance, so no monitoring or recordkeeping is required for Permit Condition 003, 10 CSR 10-6.260 *Restriction of Emission of Sulfur Compounds*. The following calculations demonstrate compliance with 10 CSR 10-6.260 when burning fuel oil with a sulfur content less than 8,812 ppm (0.8812%) for the Combustion Turbines (EP-01, EP-02, EP-03, EP-04) and 15 ppm (0.0015%) for

Diesel Fueled Emergency Generator (EP-06), as required by 40 CFR Part 60 Subpart III, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*:

SO₂

- 1) For Combustion Turbines (EP-01, EP-02, EP-03, EP-04):

$$\text{Distillate Oil } SO_2 \text{ emission factor } \left(\frac{\text{lb}}{\text{MMBtu}} \right) = 1.01 (0.8812) \frac{\text{lb}}{\text{MMBtu}} = 0.890 \text{ lb/MMBtu}$$

(AP-42 Table 3.1-2a (4/00))

$$\text{ppm}_v SO_2 = \left(\frac{0.890 \text{ lb}}{\text{MMBtu}} \right) \times \left(\frac{\text{MMBtu}}{10,320 \text{ wscf}} \right) \times \left(\frac{\text{ppm}_w}{1.660 \times 10^{-7} \text{ lb/scf}} \right) \times \left(\frac{0.45 \text{ ppm}_v}{\text{ppm}_w} \right) = 233.79 \text{ ppm}_v$$

(Appendix A-7 to 40 CFR Part 60)

Assuming maximum 8,812 ppm Sulfur (0.8812%) in fuel oil = 233.79 ppm_v < 500 ppm_v (Emission Limit)

Therefore, the Combustion Turbines – units 1 through 4 (EP-01, EP-02, EP-03, and EP-04) comply with the sulfur emission limitation and no recordkeeping is required.

- 2) For Diesel Fueled Emergency Generator (EP-06):

$$\text{Distillate Oil } SO_2 \text{ emission factor } \left(\frac{\text{lb}}{\text{MMBtu}} \right) = 1.01 (0.0015) \frac{\text{lb}}{\text{MMBtu}} = 0.00152 \text{ lb/MMBtu}$$

(AP-42 Table 3.4-1 (10/96))

$$\text{ppm}_v SO_2 = \left(\frac{0.00152 \text{ lb}}{\text{MMBtu}} \right) \times \left(\frac{\text{MMBtu}}{10,320 \text{ wscf}} \right) \times \left(\frac{\text{ppm}_w}{1.660 \times 10^{-7} \text{ lb/scf}} \right) \times \left(\frac{0.45 \text{ ppm}_v}{\text{ppm}_w} \right) = 0.398 \text{ ppm}_v$$

(Appendix A-7 to 40 CFR Part 60)

Assuming maximum 15 ppm Sulfur (0.0015%) in fuel oil = 0.398 ppm_v < 500 ppm_v (Emission Limit)

Therefore, the diesel fueled emergency generator (EP-06) complies with the sulfur emission limitation and no recordkeeping is required.

SO₃

- 1) For Combustion Turbines (EP-01, EP-02, EP-03, EP-04):

According to AP-42 Table 3.1-2a, footnote h: All sulfur in the fuel is assumed to be converted to SO₂.

- 2) For Diesel Fueled Emergency Generator (EP-06):

According to AP-42 Table 3.4-1, footnote d: All sulfur in the fuel is assumed to be converted to SO₂.

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

This regulation applies to any source that emits sulfur dioxide (SO₂). This regulation contains applicable requirements from 10 CSR 10-6.261 as reflected in Missouri's Code of State Regulations (CSR). Until this regulation is incorporated into the SIP, it will only be a state requirement. Once the SIP is updated, this permit condition will be both a state and federal requirement.

An exception applies to individual units fueled exclusively with liquefied petroleum gas as defined by American Society for Testing and Materials (ASTM) International, ultra-low sulfur distillate fuel oil with a maximum fuel sulfur content of fifteen (15) ppm, or any combination of these fuels, and this exception is determined by complying with the record keeping requirements of this rule. The emergency

generator (EP-13) is fueled by propane (LPG) and receives an exception to this rule by complying with the recordkeeping requirements. Another exception applies to individual units subject to a more restrictive SO₂ emission limit or more restrictive fuel sulfur content limit under 1. 10 CSR 10-6.070 per 6.261(1)(C)1. This exception applies to the diesel fueled emergency generator (EP-06) due to a more restrictive SO₂ fuel content of 15 ppm per 40 CFR §80.510(b)(1)(i), as required by 40 CFR Part 60 Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*. The Combustion Turbines – units 1 through 4 (EP-01, EP-02, EP-03, and EP-04) are subject to this regulation. This regulation appears in this operating permit as Permit Condition 005.

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

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

10 CSR 10-6.366, *Clean Air Interstate Rule SO2 Trading Program*

The Clean Air Interstate Rule (CAIR) has been replaced by the Cross State Air Pollution Rule (CSAPR). Missouri's CAIR rules were rescinded on January 30, 2019, but as of the date of issuance of this permit, 10 CSR 10-6.362 and 10 CSR 10-6.366 have been removed from Missouri's State Implementation Program (SIP), but 10 CSR 10-6.364 is still in Missouri's SIP.

Due to the replacement of CAIR by CSAPR, there are no longer any applicable CAIR compliance requirements. The permittee is not required to hold CAIR allowances and therefore no violation of CAIR is possible. Compliance with CSAPR satisfies this permit condition. Upon the removal of 10 CSR 10-6.364 from the SIP, the CAIR requirements in this permit will cease to apply. No action to remove the requirement from the permit is required on the part of the permittee.

10 CSR 10-6.372 Cross-State Air Pollution Rule NO_x Annual Trading Program

10 CSR 10-6.374 Cross-State Air Pollution Rule NO_x Ozone Season Group 2 Trading Program

10 CSR 10-6.376 Cross-State Air Pollution Rule Annual SO₂ Group 1 Trading Program

The Cross-State Air Pollution Rules (CSAPR) replaced the Clean Air Interstate Rules (CAIR), and they are included in this operating permit as Permit Condition 006.

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 APCA'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 APCA a schedule for achieving compliance for that regulation(s).