



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

APR 06 2015

Mr. Scott Miller
Modine Manufacturing Company
822 Industrial Drive
Trenton, MO 64683

Re: Modine Manufacturing Company, 079-0004
Permit Number: **OP2014-029**

Dear Mr. Miller:

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

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

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

Sincerely,

AIR POLLUTION CONTROL PROGRAM

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

MJS/dbk

Enclosures

c: Northeast Regional Office
PAMS File: 2012-06-034



INTERMEDIATE STATE PERMIT TO OPERATE

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

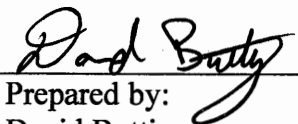
Intermediate Operating Permit Number: OP2014-029
Expiration Date: APR 06 2020
Installation ID: 079-0004
Project Number: 2012-06-034

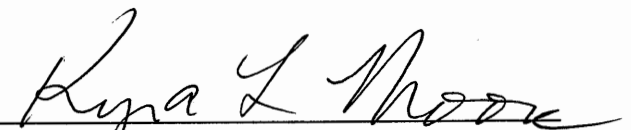
Installation Name and Address
Modine Manufacturing Company
822 Industrial Drive
Trenton, MO 64683
Grundy County

Parent Company's Name and Address
Modine Manufacturing Company
1500 DeKoven Avenue
Racine, WI 53403

Installation Description:

Modine Manufacturing Company operates a radiator production installation in Trenton. The installation is a synthetic minor source of Volatile Organic Compounds and Hazardous Air Pollutants.


Prepared by:
David Buttig
Operating Permit Unit


Director or Designee
Department of Natural Resources

APR 06 2015

Effective Date

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I. Installation Description and Equipment Listing

INSTALLATION DESCRIPTION

Modine Manufacturing Company operates a radiator production installation in Trenton, Missouri. The installation has the potential to be a major source for both volatile organic compounds (VOCs) and Hazardous Air Pollutants (HAPs). However, the installation, in their Intermediate Operating Permit, is choosing to limit the plant wide emissions to less than 100 tons per year for VOCs, less than 10 tons per year for each HAP, and less than 25 tons per year for total HAPs, on a 12 month rolling average. The reported actual emissions for the past five years for the installation are listed below:

Reported Air Pollutant Emissions, tons per year					
Pollutants	2012	2011	2010	2009	2008
Particulate Matter ≤ Ten Microns (PM ₁₀)	2.84	2.80	1.61	1.61	2.78
Particulate Matter ≤ 2.5 Microns (PM _{2.5})	0.27	0.27	0.32	0.32	0.38
Sulfur Oxides (SO _x)	0.219	0.0229	--	--	--
Nitrogen Oxides (NO _x)	3.71	3.87	3.47	3.47	4.02
Volatile Organic Compounds(VOC)	45.43	35.30	28.73	28.73	51.76
Carbon Monoxide (CO)	2.96	3.09	2.85	2.85	3.32
Lead (Pb)	--	--	--	--	--
Hazardous Air Pollutants (HAPs)	--	--	--	--	--
Ammonia (NH ₃)	0.11	0.11	0.11	0.11	0.13

EMISSION UNITS WITH SPECIFIC LIMITATIONS

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

EQ Reference #	Description of Emission Source
EP-88	Metal Forming Operations – the following identified operations report emissions under EP-88: Presses: M-2530 Press Q – Minster 150 Ton M-2532 Press C – Minster 250 Ton M-3267 Niagara 250 Ton M-3935 Press E – Niagra 150 Ton M-3942 Press D – Niagra 150 Ton

EQ Reference #	Description of Emission Source
	M-9542 Press B – Blow 600 Ton
	M-10466 – Blow 200 Ton Slot Down Press
	Tube Mills:
	M-6649 East Tube Mill – 303
	M-9255 W. Tube Mill – 3001
	Fin Machines:
	M-8198 Fin Roll # 13 – Chrysler
	M-8435 Fin Roll # 14 – Chrysler
	M-10434 Insert Fin Machine
	M-7967 Fin Roll # 1
	M-9287 Fin Roll # 16 – E&R # 1
	M-9869 Fin Roll # 17 – E&R # 2
	M-8795 Fin Roll # 15 – F&P
	M-10286 Fin Roll # 18 E&R # 3
	M-9293 FR20 - CAC fin roll
	M-10499 E&R # 4 (CAC Fin Machine)
	M-10923 E&R #6 Rad Fin Machine
	M-11202 Long-Coil Fin Machine
	M-10826 2 Row CAC Fin Machine
	M-10640 Fin Machine Echo – Ambient
	M-7571 Modine Round Roll Fin Machine
	M-10611 Fin Machine Echo - Insert

EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS

The following list provides a description of the equipment, which does not have unit specific limitations at the time of permit issuance. However any pollutants emitted by these sources are still subject to Plant Wide Limitations outlined in Section II of this permit.

EQ Reference #	Description of Emission Source
EP-52 & 55	Welding Operations
EP-81	Nocolok Furnace #2 Thermal De-oiler Oven, 1.03 MMBtu/hr, Natural Gas/Propane – fired
EP-84	Nocolok Furnace #2 Gas Combustion, 3.09 MMBtu/hr, Natural Gas/Propane – fired
EP-86	Powder Paint Cure Oven, 3.09 MMBtu/hr, Natural Gas/Propane fired
EP-87	Paint Hook Burn Off Oven, 0.55 MMBtu/hr, Natural Gas/Propane fired
EP-89	MIG Robot Welding Operations
EP-90	TIG Robot Repair Welding
EP-91	Robot Welder Operations
EP-100	Various Building Heating Furnaces, 14.42 MMBtu/hr (total), Natural Gas/Propane - fired

DOCUMENTS INCORPORATED BY REFERENCE

These documents have been incorporated by reference into this permit:

- 1) Construction Permit 122011-003, Issued December 05, 2011

II. Plant Wide Emission Limitations

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

PERMIT CONDITION PW001

10 CSR 10-6.065 Operating Permits
10 CSR 10-6.065(5)(C)2. Voluntary Limitation(s)

Emission Limitation:

- 1) The permittee shall emit less than ten tons of any individual HAP in any consecutive 12-month period; and
- 2) The permittee shall emit less than 25 tons of any combination of HAPs in any consecutive 12-month period.

Monitoring/Recordkeeping:

- 1) The permittee shall maintain an accurate record of emissions of HAPs emitted into the atmosphere from this installation. Example forms are attached as Attachment B-1 and B-2. The permittee may use these forms, or forms of its own, so long as the forms used will accurately demonstrate compliance with the HAPs emission limitation (less than 10 tons in any consecutive 12-month period of any individual HAP or less than 25 tons in any consecutive 12-month period of any combination of HAPs).
- 2) These records shall be made immediately available for inspection to the Missouri Department of Natural Resources' personnel upon request.
- 3) These records shall be kept on-site for five years.

Reporting:

The permittee shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any deviation from or exceedance of any of the terms imposed by this permit condition, or any malfunction which causes a deviation from or exceedance of this permit condition.

Permit Condition PW002

10 CSR 10-6.065 Operating Permits
10 CSR 10-6.065(5)(C)2. Voluntary Limitation(s)

Emission Limitation:

The permittee shall emit into the atmosphere less than 100 tons of Volatile Organic Compounds (VOCs) from the entire installation in any consecutive 12-month period.

Monitoring/Recordkeeping:

The permittee shall maintain an accurate record of emissions of VOCs emitted into the atmosphere from this installation. The permittee shall record the monthly and running 12-month totals of the VOC emissions from this installation. Example form is attached as Attachment A (Plant-Wide Emissions Tracking Record). The permittee may use this form, or forms of its own, so long as the forms used will

accurately demonstrate compliance with the VOC emission limitation (less than 100 tons in any consecutive 12-month period of VOCs).

Reporting:

The permittee shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after any deviation from or exceedance of any of the terms imposed by this permit condition, or any malfunction which causes a deviation from or exceedance of this permit condition.

PERMIT CONDITION PW003

10 CSR 10-6.220

Restriction of Emission of Visible Air Contaminants

Emission Limitation:

- 1) No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any existing¹ source any visible emissions with an opacity greater than 40%. [10 CSR 10-6.220(3)(A)]
- 2) No owner or other person shall cause or permit emissions to be discharged into the atmosphere from any new² source any visible emissions with an opacity greater than 20%. [10 CSR 10-6.220(3)(A)]
- 3) Exception:
A person may discharge into the atmosphere from any source of emissions for a period(s) aggregating not more than six (6) minutes in any 60 minutes air contaminants with an opacity up to 60%. [10 CSR 10-6.220(3)(B)]

Monitoring:

- 1) The permittee shall conduct opacity readings on the emission unit(s) using the procedures contained in U.S. EPA Test Method 22. At a minimum, the observer should be trained and knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting, wind and the presence of uncombined water. Readings are only required when the emission unit(s) is operating and when the weather conditions allow. If no visible or other significant emissions are observed using these procedures, then no further observations would be required. For emission units with visible emissions perceived or believed to exceed the applicable opacity standard, the source representative would then conduct a Method 9 observation.
- 2) The following monitoring schedule must be maintained:
 - a) Monthly observations shall be conducted for a minimum of eight consecutive months after permit issuance. Should no violation of this regulation be observed during this period then-

¹ *Existing source*-any equipment, machine, device, article, contrivance or installation installed or in construction in the outstate Missouri area on February 24, 1971 or in the Springfield metropolitan area on September 24, 1971.

Exception: If the source is altered, repaired, or rebuilt at a cost of fifty percent (50%) or more of its replacement cost exclusive of routine maintenance, it shall no longer be existing, but shall be considered new as defined in this regulation.

² *New source*: any equipment, machine, device, article, contrivance or installation installed in the outstate Missouri area after February 24, 1971 or in the Springfield metropolitan area after September 24, 1971.

- b) Observations must be made semi-annually (i.e., once per reporting period). Observation shall be conducted during the January-June reporting period and during the July-December reporting period. If a violation is noted, monitoring reverts to monthly.
- 3) If the source reverts to monthly monitoring at any time, monitoring frequency will progress in an identical manner from the initial monitoring frequency.

Recordkeeping:

- 1) The permittee shall maintain records of all observation results (see Attachment C-1), noting:
 - a) Whether any air emissions (except for water vapor) were visible from the emission units,
 - b) All emission units from which visible emissions occurred, and
 - c) Whether the visible emissions were normal for the process.
- 2) The permittee shall maintain records of any equipment malfunctions (see Attachment D).
- 3) The permittee shall maintain records of any Method 9 test performed in accordance with this permit condition. (see Attachment C-2)
- 4) Attachments C-1, C-2, and D contain logs including these recordkeeping requirements. These logs, or an equivalent created by the permittee, must be used to certify compliance with this requirement.

Reporting:

- 1) The permittee shall report to the Air Pollution Control Program Enforcement Section, P.O. Box 176, Jefferson City, MO 65102, no later than ten days after the permittee determined using the Method 9 test that the emission unit(s) exceeded the opacity limit.
- 2) Reports of any deviations from monitoring, recordkeeping and reporting requirements of this permit condition shall be submitted semi-annually, in the semi-annual monitoring report and annual compliance certification, as required by Section V of this permit.

III. Emission Unit Specific Emission Limitations

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

Permit Condition (EP-88) - 001

10 CSR 10-6.060 Construction Permits Required
Construction Permit No. 122011-003, Issued December 05, 2011

Operational Limitation:

The permittee shall keep the lubricant solvents and cleaning solutions in sealed containers whenever the materials are not in use. The permittee shall provide and maintain suitable, easily read, permanent markings on all inks, solvent and clean solution containers used with this equipment.

Reporting:

Reports of any deviations from the operational limitation requirements of this permit condition shall be submitted annually, in the annual monitoring report and annual compliance certification, as required by Section V of this permit.

IV. Core Permit Requirements

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

10 CSR 10-6.045 Open Burning Requirements

- 1) General Provisions. The open burning of tires, petroleum-based products, asbestos containing materials, and trade waste is prohibited, except as allowed below. Nothing in this rule may be construed as to allow open burning which causes or constitutes a public health hazard, nuisance, a hazard to vehicular or air traffic, nor which violates any other rule or statute.
- 2) 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.
- 3) Reporting and Recordkeeping. New Source Performance Standard (NSPS) 40 CFR Part 60 Subpart CCCC establishes certain requirements for incinerators that burn wood trade waste. These requirements are established in 40 CFR 60.2245-60.2260. The provisions of 40 CFR part 60 Subpart CCCC promulgated as of September 22, 2005 shall apply and are hereby incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401. To comply with NSPS 40 CFR 60.2245-60.2260, sources must conduct an annual Method 9 test. A copy of the annual Method 9 test results shall be submitted to the director.
- 4) Test Methods. The visible emissions from air pollution sources shall be evaluated as specified by 40 CFR part 60, Appendix A–Test Methods, Method 9–Visual Determination of the Opacity of Emissions from Stationary Sources. The provisions of 40 CFR part 60, Appendix A, Method 9 promulgated as of December 23, 1971 is incorporated by reference in this rule, as published by the U.S. Government Printing Office, 732 N Capitol Street NW, Washington, DC 20401.

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

- 1) In the event of a malfunction, which results in excess emissions that exceed one hour, the permittee shall submit to the director within two business days, in writing, the following information:
[10 CSR 10-6.050(3)(A)]
 - a) Name and location of installation; [10 CSR 10-6.050(3)(A)1]
 - b) Name and telephone number of person responsible for the installation; [10 CSR 10-6.050(3)(A)2]
 - c) Name of the person who first discovered the malfunction and precise time and date that the malfunction was discovered. [10 CSR 10-6.050(3)(A)3]
 - d) Identity of the equipment causing the excess emissions; [10 CSR 10-6.050(3)(A)4]
 - e) Time and duration of the period of excess emissions; [10 CSR 10-6.050(3)(A)5]
 - f) Cause of the excess emissions; [10 CSR 10-6.050(3)(A)6]
 - g) Air pollutants involved; [10 CSR 10-6.050(3)(A)7]
 - h) Best estimate of the magnitude of the excess emissions expressed in the units of the applicable requirement and the operating data and calculations used in estimating the magnitude; [10 CSR 10-6.050(3)(A)8]

- i) Measures taken to mitigate the extent and duration of the excess emissions; and [10 CSR 10-6.050(3)(A)9]
- 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. [10 CSR 10-6.050(3)(A)10]
- 2) The permittee shall submit the paragraph 1 information list to the director in writing at least ten days prior to any maintenance, start-up or shutdown, which is expected to cause an excessive release of emissions that exceed one hour. If notice of the event cannot be given ten days prior to the planned occurrence, it shall be given as soon as practicable prior to the release. If an unplanned excess release of emissions exceeding one hour occurs during maintenance, start-up or shutdown, the director shall be notified verbally as soon as practical during normal working hours and no later than the close of business of the following working day. A written notice shall follow within ten working days. [10 CSR 10-6.050(3)(B)]
- 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. [10 CSR 10-6.050(3)(C)]
- 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. [10 CSR 10-6.050(3)(D)]
- 5) Compliance with this rule does not automatically absolve the permittee of liability for the excess emissions reported. [10 CSR 10-6.050(3)(E)]

10 CSR 10-6.060 Construction Permits Required

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

10 CSR 10-6.065 Operating Permits

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

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

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

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

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

- 1) The permittee shall submit 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) The permittee may be required by the director to file additional reports.
- 3) Public Availability of Emission Data and Process Information. Any information obtained pursuant to the rule(s) of the Missouri Air Conservation Commission that would not be entitled to confidential treatment under 10 CSR 10-6.210 shall be made available to any member of the public upon request.
- 4) The permittee shall submit a full EIQ for the 2011, 2014, 2017, and 2020 reporting years. In the interim years the installation may submit a Reduced Reporting Form; however, if the installation's emissions increase or decrease by more than five tons when compared to their last submitted full EIQ, the installation shall submit a full EIQ rather than a Reduced Reporting Form.
- 5) In addition to the EIQ submittal schedule outlined above, any permit issued under 10 CSR 10-6.060 section (5) or (6) triggers a requirement that a full EIQ be submitted in the first full calendar year after the permitted equipment initially operates.
- 6) The fees shall be payable to the Department of Natural Resources and shall be accompanied by the emissions report.
- 7) The permittee shall complete required reports on state supplied EIQ forms or electronically via MoEIS. Alternate methods of reporting the emissions can be submitted for approval by the director. The reports shall be submitted to the director by April 1 after the end of each reporting year. If the full emissions report is filed electronically via MoEIS, this due date is extended to May 1.
- 8) The reporting period shall end on December 31 of each calendar year. Each report shall contain the required information for each emission unit for the twelve (12)-month period immediately preceding the end of the reporting period.
- 9) The permittee shall collect, record and maintain the information necessary to complete the required forms during each year of operation of the installation.

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

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

10 CSR 10-6.150 Circumvention

The permittee shall not cause or permit the installation or use of any device or any other means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission or air contaminant which violates a rule of the Missouri Air Conservation Commission.

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

Emission Limitation:

- 1) The permittee shall not cause or allow to occur any handling, transporting or storing of any material; construction, repair, cleaning or demolition of a building or its appurtenances; construction or use of a road, driveway or open area; or operation of a commercial or industrial installation without applying reasonable measures as may be required to prevent, or in a manner which allows or may allow, fugitive particulate matter emissions to go beyond the premises of origin in quantities that the particulate matter may be found on surfaces beyond the property line of origin. The nature or origin of the particulate matter shall be determined to a reasonable degree of certainty by a technique proven to be accurate and approved by the director.
- 2) The permittee shall not cause nor allow to occur any fugitive particulate matter emissions to remain visible in the ambient air beyond the property line of origin.
- 3) Should it be determined that noncompliance has occurred, the director may require reasonable control measures as may be necessary. These measures may include, but are not limited to, the following:
 - a) Revision of procedures involving construction, repair, cleaning and demolition of buildings and their appurtenances that produce particulate matter emissions;
 - b) Paving or frequent cleaning of roads, driveways and parking lots;
 - c) Application of dust-free surfaces;
 - d) Application of water; and
 - e) Planting and maintenance of vegetative ground cover.

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 10-6.165 Restriction of Emission of Odors

This requirement is not federally enforceable.

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

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

The permittee shall conduct all asbestos abatement projects within the procedures established for certification and accreditation by 10 CSR 10-6.250. This rule requires individuals who work in asbestos

abatement projects to be certified by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires training providers who offer training for asbestos abatement occupations to be accredited by the Missouri Department of Natural Resources Air Pollution Control Program. This rule requires persons who hold exemption status from certain requirements of this rule to allow the department to monitor training provided to employees. Each individual who works in asbestos abatement projects must first obtain certification for the appropriate occupation from the department. Each person who offers training for asbestos abatement occupations must first obtain accreditation from the department. Certain business entities that meet the requirements for state-approved exemption status must allow the department to monitor training classes provided to employees who perform asbestos abatement.

Title VI – 40 CFR Part 82 Protection of Stratospheric Ozone

- 1) The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
 - a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106.
 - b) The placement of the required warning statement must comply with the requirements pursuant to §82.108.
 - c) The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110.
 - d) No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
- 2) The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
 - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
 - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
 - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
 - d) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to §82.166. ("MVAC-like" appliance as defined at §82.152).
 - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
 - f) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
- 3) If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
- 4) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air conditioners. The term "motor vehicle" as

used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant.

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

10 CSR 10-6.280 Compliance Monitoring Usage
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- | |
|--|
| <p>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:</p> <ul style="list-style-type: none">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; andc) Any other monitoring methods approved by the director. <p>2) Any credible evidence may be used for the purpose of establishing whether a permittee has violated or is in violation of any such plan or other applicable requirement. Information from the use of the following methods is presumptively credible evidence of whether a violation has occurred by a permittee:</p> <ul style="list-style-type: none">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; andc) Compliance test methods specified in the rule cited as the authority for the emission limitations. <p>3) The following testing, monitoring or information gathering methods are presumptively credible testing, monitoring, or information gathering methods:</p> <ul style="list-style-type: none">a) Applicable monitoring or testing methods, cited in:<ul style="list-style-type: none">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"; orb) Other testing, monitoring, or information gathering methods, if approved by the director, that produce information comparable to that produced by any method listed above. |
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V. General Permit Requirements

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

10 CSR 10-6.065, §(5)(E)2 and §(6)(C)1.B Permit Duration

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

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

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

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

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

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

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

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

- 1) The permittee must comply with all of the terms and conditions of this permit. Any noncompliance with a permit condition constitutes a violation and is grounds for enforcement action, permit termination, permit revocation and re-issuance, permit modification or denial of a permit renewal application.
- 2) The permittee may not use as a defense in an enforcement action that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit
- 3) The permit may be modified, revoked, reopened, reissued or terminated for cause. Except as provided for minor permit modifications, the filing of an application or request for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- 4) This permit does not convey any property rights of any sort, nor grant any exclusive privilege.
- 5) The permittee shall furnish to the Air Pollution Control Program, upon receipt of a written request and within a reasonable time, any information that the Air Pollution Control Program reasonably may require to determine whether cause exists for modifying, reopening, reissuing or revoking the permit or to determine compliance with the permit. Upon request, the permittee also shall furnish to the Air Pollution Control Program copies of records required to be kept by the permittee. The permittee may make a claim of confidentiality for any information or records submitted under this rule.
- 6) Failure to comply with the limitations and conditions that qualify the installation for an Intermediate permit make the installation subject to the provisions of 10 CSR 10-6.065(6) and enforcement action for operating without a valid part 70 operating permit.

10 CSR 10-6.065(5)(C)1.C Reasonably Anticipated Operating Scenarios

None

10 CSR 10-6.065, §(5)(B)4; §(5)(C)1, §(6)(C)3.B; and §(6)(C)3.D; and §(5)(C)3 and §(6)(C)3.E.(I) – (III) and (V) – (VI) Compliance Requirements

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

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

- 1) An emergency or upset as defined in 10 CSR 10-6.065(6)(C)7.A shall constitute an affirmative defense to an enforcement action brought for noncompliance with technology-based emissions

limitations. To establish an emergency- or upset-based defense, the permittee must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence, the following:

- a) That an emergency or upset occurred and that the permittee can identify the source of the emergency or upset,
 - b) That the installation was being operated properly,
 - c) That the permittee took all reasonable steps to minimize emissions that exceeded technology-based emissions limitations or requirements in this permit, and
 - d) That the permittee submitted notice of the emergency to the Air Pollution Control Program within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.
- 2) Be aware that an emergency or upset shall not include noncompliance caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

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

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

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

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

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

This permit may be reopened for cause if:

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

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

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

VI. Attachments

Attachments follow.

**Attachment C-2
 10 CSR 10-6.220 Compliance Demonstration
 Method 9 Visual Determination of Opacity**

This attachment or an equivalent may be used to help meet the recordkeeping requirements of Permit Condition PW003.

Method 9 Opacity Emissions Observations	
Company	Observer
Location	Observer Certification Date
Date	Emission Unit
Time	Control Device

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

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

Readings ranged from _____ to _____ % opacity.

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

STATEMENT OF BASIS

Voluntary Limitations

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

Permit Reference Documents

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

- 1) Intermediate Operating Permit Application, received June 11, 2012;
- 2) 2011 Emissions Inventory Questionnaire, received April 27, 2012; and
- 3) U.S. EPA document AP-42, *Compilation of Air Pollutant Emission Factors*; Volume I, Stationary Point and Area Sources, Fifth Edition.

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

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

None

Other Air Regulations Determined Not to Apply to the Operating Permit

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

10 CSR 10-6.100, *Alternate Emission Limits*

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

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

All combustion equipment at the installation uses pipeline grade natural gas. Combustion equipment that uses exclusively pipeline grade natural gas as defined in 40 CFR 72.2 or liquefied petroleum gas as defined by American Society for Testing and Materials (ASTM), or any combination of these fuels is exempt from the requirements of this rule.

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

This regulation defines process weight to "exclude liquids and gases used solely as fuels and excluding air introduced for purposes of combustion" under 10 CSR 10-6.400(2)(A). Therefore, no

emission sources at this installation were considered to be applicable to this regulation and it was not included in the operating permit.

10 CSR 10-6.405, *Maximum Allowable Emission of Particulate Matter from Fuel Burning Equipment Used for Indirect Heating*

The installation operates various building heating furnaces with an aggregate heat input of 14.42 MMBtu/hr which are subject to the requirements of this rule. However, the APCP does not consider these sources to be capable of exceeding the particulate matter (PM) emission limitation (0.53 pounds of particulate matter per million BTU's of heat input) of this rule.

Therefore, the heating furnaces are always expected to be in compliance with the PM limitation, this rule was not included in the applicable requirements for this operating permit.

Construction Permit History

Permit Number	Description
0177-005	Soldering Dip Pots
0782-003 – 007	Hard Tube Mill
0384-004	Hard Tube Mill
0685-001	Production Line Modification
0986-010	Hard Tube Mill & Beta Welder
1086-007	Hard Tube Mill
1286-005	Beta-Weld Operation
0387-002	Beta-Weld Operation
0188-001	Welded Tube Mill
0388-005	Beta-Weld Machine
1191-015	Automatic Solder Pour Line Installation
0894-026	Nocolok Brazing Oven
1296-015	Aluminum Paint Booth
0997-030	Addition of One Aluminum Area Fin Machine and Two Aluminum Presses
0298-018	Spray Paint Booth
0398-003	One Aluminum Truck Radiator Fin Machine
0798-028	Beta-Weld Operation
1098-019	Oil Fogging Operating
0199-005	Two Seaming Stations and One Welding Station
0599-007	New Aluminum Fin Machine
1299-012	New Radiator Production Line
012000-018	Installation of a New Aluminum Fin Machine
082000-013	Installation of a Burn-Off Oven for Powder Paint Hooks
112003-004	Installation of a New Aluminum Fin Machine
082004-018	Installation of a New Aluminum Fin Machine
082005-009	Installation of New Fin Machine, Welding Operations, and Test Station.
072008-013	Installation of a New Radiator Core Builder with associated Fin Machine.
102009-009	Construct two new core assembly/fin machines.
122011-003	Installation of a robot welder and 3 fin machines

Construction Permit Revisions

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

Construction Permit #1195-015

The construction permit 1191-015, issued Nov 15, 1991, does not apply to the welding operations

(EP52 or EP55). All equipment associated with the construction permit 1191-015 has been removed from the facility and the permit no longer applies to Trenton.

Construction Permit #072008-013

Special Condition 1 is essentially identical to Special Condition 1 of Construction Permit 102009-009.

Construction Permit #102009-009

The Special Conditions are essentially identical to the Special Conditions of Construction Permit 122011-003.

Construction Permit #122011-003

Special Condition 2 sets a plantwide 250 ton/yr VOC limit for the installation with recordkeeping and reporting conditions contained within Special Conditions 3 and 4. This VOC limit is less restrictive than the 100 ton/yr VOC limit required for Intermediate Operating Permit status. The facility may demonstrate compliance with the 250 ton/yr limit by maintaining compliance with the 100 ton/yr VOC limit within Permit Condition PW002.

New Source Performance Standards (NSPS) Applicability

None

Maximum Achievable Control Technology (MACT) Applicability

None

National Emission Standards for Hazardous Air Pollutants (NESHAP) Applicability

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

Updated Potential to Emit for the Installation

Pollutant	Potential to Emit (tons/yr)
CO	8.06
CO _{2e}	6,522
HAP	≤ 25
NO _x	9.81
PM ₁₀	4.70
PM ₂₅	0.73
SO _x	0.06
VOC	≤ 100

Other Regulatory Determinations

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

One press under EP-88 is considered an existing operating unit and is regulated by the 40% opacity limitation. All other units under this rule are limited to a 20% opacity limitation.

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

1) 10 CSR 10-6.400 was not included as an applicable regulation for the emission units listed below.

These units are exempt because potential uncontrolled particulate matter emissions are less than 0.5 pounds per hour per 10 CSR 10-6.400(1)(B)12.

$$\text{Potential PM Emission Rate} = \text{MHDR(tons/hr)} * \text{Emission Factor(lb/ton)}$$

Emission Unit	Maximum Hourly Design Rate (tons/hr)	PM Emission Factor (lb/ton)	Emission Factor Reference	Potential Uncontrolled PM Emission Rate (lb/hr)
EP52 - Maintenance Welding ¹	0.00001	See note 1		0.02
EP55 - Aluminum Welded Tube Mill	1.00	0.06	2006 EIQ	0.06

¹Assuming all is emitted as particulate matter.

2) According to 10 CSR 10-6.400(1)(B)7., the following fugitive sources are not subject to this rule.

- EP81 - Nocolok Furnace #2 Thermal De-oiler Oven;
- EP84 - Nocolok Furnace #2 Gas Combustion;
- EP86 - Powder Paint Cure Oven; and
- EP87 - Paint Hook Burn Off Oven
- EP88 - Metal Forming Operations

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

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

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

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

MEMORANDUM

DATE: September 04, 2014

TO: 2012-06-034, Modine Manufacturing Company – Trenton (079-0004)

FROM: David Buttig, Operating Permit Unit

SUBJECT: Response to Public Comments

A draft of the Modine Manufacturing Company – Trenton Facility Intermediate Operating Permit was placed on public notice on May 23, 2014, by the Missouri Department of Natural Resources (MDNR). Comments were received on June 12, 2014 from Mark Smith, Air Permitting and Compliance Branch Chief of the Environmental Protection Agency Region 7. The five (5) comments are presented below as submitted, with the response to each comment by the Air Pollution Control Program (APCP) directly following.

EPA Comment #1:

Plant wide permit conditions PW001 and PW002 are included in the draft operating permit to establish voluntary limitations for hazardous air pollutants (HAPs) and volatile organic compounds (VOCs), respectively. The draft permit conditions indicate the underlying authority to allow for the establishment of these voluntary limitations are 10 CSR 10-6.065(2)(A), 10 CSR 10-6.065(2)(C), and 10 CSR 10-6.065(5)(A). A current search of the on-line version of the Division 10, Chapter 6 Missouri State Regulations for the term “voluntary” points to 10 CSR 10-6.065(5)(C)2. This citations says:

“Federally-enforceable conditions.

Any voluntary provisions issued under this section of the rule, designed to limit an installation’s potential to emit, shall be designated federally- enforceable by the permitting authority. Any terms and conditions so designated are required to –

- A. Be at least as stringent as any other applicable limitations and requirements contained in the implementation plan or enforceable under the implementation plan. The permitting authority may not waive or make less stringent any limitations or requirements contained in the implementation plan, or that are otherwise federally-enforceable (for example, standards established under sections 111 or 112 of the Act) in the operating permit;*
- B. Be permanent, quantifiable, and otherwise enforceable as a practical matter; and*
- C. Follow the public participation procedures of section (7) of this rule.”*

EPA believes this is the appropriate regulatory citation, for voluntary limitations, and recommends MDNR revise the statutory reference to the underlying requirement for permit conditions PW001 and PW002.

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

The regulatory citation for permit conditions PW001 and PW002 have been changed to 10 CSR 10-6.065(5)(C)2. Voluntary Limitation(s).

EPA Comment #2:

Draft plant wide permit conditions PW001 and PW002 require Modine (permittee) to maintain accurate emissions of hazardous air pollutants (HAPs) and volatile organic compounds (VOCs), respectively, from “this installation.” Draft permit conditions PW001 and PW002 go on to require the permittee to use example forms (Attachments A-1 and A-2) to accurately document compliance with the HAP emission limits; and an example form (Attachment B) to accurately demonstrate compliance with the VOC emission limitations. However, both PW001 and PW002, as drafted, fail to ensure the synthetic minor limits for HAPs and VOCs; which are intended to restrict HAPs and VOCs potential-to-emit (PTE) below the Part 70 operating permit levels; are enforceable as a practical matter.

40 CFR §70.2 defines the potential-to-emit (PTE), for purposes of determining whether the facility triggers major source requirements for a particular pollutant, to include consideration of “[a] physical or operational limitation on the capacity of the source to emit [the] pollutant including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored or processed . . . if the limitation or the effect it would have on emissions is federally enforceable.” In other words, if a permit applicant agrees to an enforceable limit that is sufficient to restrict PTE, the facilities PTE is calculated based on that limit.

In this draft permit, Modine appears to agree to accept source-wide HAP and VOC emission limits below the major source levels and thus avoid Part 70 operating permit requirements. To effectively limit Modine’s HAP and VOC, the limits in PW001 and PW002 must apply at all times; to all actual operating conditions; to all actual emissions and all actual emissions must be considered in determining compliance with respective limits. Modine’s draft permit states that HAP emissions shall be less than 10 tons of individual HAP in any consecutive 12-month period and 25 tons of any combination of HAPs in any consecutive 12-month period; and VOC emissions less than 100 tons in any consecutive 12-month period. However, permit conditions PW001 and PW002 do not specify how the installations HAPs and VOC shall be determined or measured for assessing compliance and it is unclear whether all actual HAP and VOC emissions must be considered; including emissions during periods of malfunction or upset and it is unclear what emission units define the “installation.”

The draft permit, as placed on public notice, does contain example data recordkeeping forms. However, the forms do not specify how HAP and VOC emissions shall be calculated or what information such calculations would be based upon. In addition, draft permit does not appear to contain any monitoring or recordkeeping requirements that would allow for calculation or consideration of any HAP and VOC associated with the operation of any “insignificant” emission units. In the draft permit, the overall emission limits for HAPs and VOCs state the “permittee shall maintain an accurate record of emissions from the installation.” The draft facility-wide limits will be ineffective at ensuring that the source remains below their voluntary limits if any emission unit at the facility that emits HAPs and/or VOCs is not covered by the permit limits and/or not subject to sufficient monitoring, recordkeeping, and reporting to ensure these limits are enforceable as a practical matter.

Therefore, EPA strongly recommends that MDNR modify plant wide permit conditions PW001 and PW002 in this draft operating permit to include:

- A description or listing of all specific emission units that are included in the “installation” which are capped at the HAP maximum emission limit of 10/25 tons per consecutive 12-month period and VOC of 100 tons per consecutive 12-month period;
- Detailed description of the operating scenarios (normal, start-up, shutdown, malfunction, upset, etc.) to be included in the calculation of HAP and VOC emissions; and
- Complete description of the methodology utilized to calculate the HAP and VOC emissions and what information such calculations are based on.

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

The text “However any pollutants emitted by these sources are still subject to Plant Wide Limitations outlined in Section II of this permit.” was inserted on page 4 under EMISSION UNITS WITHOUT SPECIFIC LIMITATIONS for clarification.

Currently there are no emission factors or calculations for SSM scenarios since each SSM is different. Therefore, PTE calculations have been calculated only in normal scenarios utilizing emission factors provided in AP-42 and WebFIRE for the respective SCC codes.

The attachments for calculating and tracking HAPs and VOC emissions have been updated to include a methodology for calculations and sources to be used for the calculations.

EPA Comment #3:

The determination of the separation between an intermediate operating permit and a Part 70 operating permit is the potential-to-emit (PTE). PTE encompasses the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Thus, emissions from all emission units that are part of the sources physical and operational design at the time of permitting must be included in calculating PTE. This would include emission units with limitations; emission units without limitations; and insignificant emission units. EPA has previously explained that when a source accepts a source-wide PTE limit, all actual emissions of that pollutant from the source must be considered in determining compliance with the limit.

By accepting the limits in the draft operating permit, Modine says their installation currently has the potential to emit 10 tons of a single HAP in any consecutive 12-month period; 25 tons of combined HAPs in any consecutive 12-month period; and 100 tons of VOCs in any consecutive 12-month period. Therefore, any further emission unit additions and/or modifications which result in an increase of HAP or VOC emission, the synthetic minor limit will be exceeded which will require Modine to apply for a Part 70 operating permit.

In as much as the reported actual emissions of HAPs and VOCs are well below the voluntary emission limits in PW001 and PW002, Modine may wish to reconsider these synthetic limits. Therefore, EPA recommends that MDNR review all of the “consequences” of these voluntary limits with the permittee to confirm their intent to stay with the draft limits.

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

It is standard practice of the APCP to consult with the facilities and to allow review of the draft permit before placing it on Public Notice. Modine Manufacturing offered and has accepted these voluntary limitations that are present in the draft permit. If Modine Manufacturing adds any additional emission units, (assuming no construction permit is required) a new potential to emit will be calculated and a

decision will be made to see if the facility can remain below those major source emission levels. Currently, Modine Manufacturing's reported emissions are well below the major source levels.

EPA Comment #4:

Plant wide permit condition PW003, in the draft operating permit, includes separate emission limitations for "existing sources" and "new sources." Included are footnotes that define the terms "existing source" and "new source." However, the draft operating permit fails to identify which emission units are "existing" and which are "new."

EPA recommends that MDNR identify existing emission units and new emission units in either the statement of basis or within the body of context of the permit condition.

Missouri Air Pollution Control Program Response to EPA Comment #4:

A description of the existing emission units under PW003 has been included in the Statement of Basis for clarification.

EPA Comment #5:

The open burning requirements included with the Section IV core permit requirements in the draft operating permit includes requirements for the Kansas City metropolitan area; Springfield-Greene county area; St. Joseph area; and St. Louis metropolitan area. The Modine Manufacturing Company being permitted is located in Grundy County and all of the specific requirements for the Kansas City metropolitan area; Springfield-Greene County area; St. Joseph area; and St. Louis metropolitan would appear to not be applicable requirements for a facility in Trenton (Grundy County), Missouri. EPA recommends that MDNR modify the open burning requirements accordingly.

Missouri Air Pollution Control Program Response to EPA Comment #5:

The requirements for the Kansas City metropolitan area; Springfield-Greene county area; St. Joseph area; and St. Louis metropolitan area have been removed from the Section IV core permit requirements for open burning.