

10 CSR 10-6.120 Restriction of Emissions of Lead From Specific Lead Smelter-Refinery Installations

(1) Applicability.

(A) This rule applies to existing installations in Missouri engaged in specific smelting and refining for the production of lead.

(B) Operation and Maintenance of Lead Emissions Control Equipment and Procedures. The owner or operator of any specific lead smelter shall operate and maintain all lead emissions control equipment and perform all procedures as required by this rule.

(2) Definitions. Definitions of certain terms specified in this rule, other than those specified in this rule section, may be found in 10 CSR 10-6.020.

(3) General Provisions.

(A) Operational Malfunction.

1. The owner or operator shall maintain a file which identifies the date and time of any significant malfunction of plant process operations or of emission control equipment which results in increased lead emissions. The file also shall contain a description of any corrective action taken, including the date and time. 10 CSR 10-6.050 Start-Up, Shutdown, and Malfunction Conditions shall apply.

2. All of these files relating to operational malfunction shall be retained for a minimum of two (2) years and, upon request, shall be made available to the director.

(B) Provisions Pertaining to Limitations of Lead Emissions from Specific Installations. Doe Run Resource Recycling Division in Boss, Missouri, shall limit total lead production to one hundred seventy-five thousand (175,000) tons per year.

(C) Provisions Pertaining to Limitations of Lead Emissions From Other Than Stacks at All Installations.

1. The owner or operator shall control fugitive emissions of lead from all process and area sources at an installation by measures described in a work practice manual identified in paragraph (3)(C)2. of this rule. It is a violation of this rule to fail to adhere to the requirements of these work practices.

2. Work practice manual.

A. The owner or operator shall prepare, submit for approval and then implement a process and area-specific work practice manual that will apply to locations of fugitive lead emissions at the installation.

B. The manual shall be the method of determining compliance with the provisions of this section. Failure to adhere to the work practices in the manual is a violation of this rule.

C. Any change to the manual proposed by the owner or operator following the initial approval shall be requested in writing to the director. Any proposed change shall demonstrate that the change in the work practice will not lessen the effectiveness of the fugitive emission reductions for the work practice involved. Written approval by the director is required before any change becomes effective in the manual.

D. If the director determines a change in the work practice manual is necessary, the director will notify the owner or operator of that installation. The owner or operator shall revise the manual to reflect these changes and submit the revised manual within thirty (30) days of receipt of notification. These changes shall become effective following written approval of the revised manual by the director.

(4) Reporting and Record Keeping.

(A) The operator shall keep records and files generated by the work practice manual's implementation.

(B) The work practice manual shall contain the requirement that records of inspections made by the operator of fugitive emissions control equipment such as hoods, air ducts and exhaust fans be maintained by the operator.

(C) The Doe Run Resource Recycling Division, Boss, Missouri operator shall keep records that demonstrate compliance with the emissions limitations described in subsection (3) (B) using the sampling methods described in subsection (5) (E) of this rule. These records shall be maintained on-site in accordance with record keeping and reporting requirements in subsection (5) (E) of this rule.

(D) Records shall be kept for a minimum of two (2) years at the installation and shall be made available upon request of the director for purposes of determining compliance.

(5) Test Methods.

(A) The method of determining the concentration of visible emissions from stack sources shall be Method 9-Visual Determination of the Opacity of Emissions from Stationary Sources or Method 22-Visual Determination of Fugitive Emissions from Material Sources and Smoke Emissions from Flares as specified in 10 CSR 10-6.030(22).

(B) The method of measuring lead in stack gases shall be Method 12-Determination of Inorganic Lead Emissions from Stationary Sources as specified in 10 CSR 10-6.030(22).

(C) The method of quantifying the determination of compliance with the emission limitations from stacks in this rule shall be as follows:

1. Three (3) stack samplings shall be planned to be conducted for any one (1) stack within a twenty-four (24)-hour period in accordance with subsection (5) (B) of this rule. If this cannot be done due to weather, operating, or other preventative conditions that develop during the twenty-four (24)-hour period, then the remaining samplings may be conducted in a reasonable time determined by the director following the twenty-four (24)-hour period;

2. Each stack sample shall have a sampling time of at least one (1) hour;

3. The process(es) producing the emissions to that stack being tested shall be operating at a minimum of ninety percent (90%) of capacity of the process(es) for the full duration of the samplings; and

4. The emission rate to be used for compliance determination shall be quantified by using the following formula:

$$Ec = T \text{ avg lbs per hour} \times 24 \text{ hours} = \text{lbs per 24 hours}$$

Where:

E_c = 24-hour emission rate extrapolated from stack sampling results used for compliance determination; and

T_{avg} = Summation of hourly emission rates of three (3) stack sampling results, divided by three (3) for the average hourly rate.

(D) The method of measuring lead in the ambient atmosphere shall be the reference method as specified in 10 CSR 10-6.040(4) (G).

(E) The methods for demonstrating compliance at the Doe Run Resource Recycling Division in Boss, Missouri, shall be those specified in 40 CFR 63, subpart X. 40 CFR 63, Subpart X promulgated as of July 1, 2018 is hereby incorporated by reference in this rule, as published by the Office of the Federal Register. Copies can be obtained from the U.S. Publishing Office Bookstore, 710 N. Capitol Street NW, Washington, DC 20401. This rule does not incorporate any subsequent amendments or additions.

EPA Rulemakings

CFR: 40 C.F.R. 52.1320(c)
 FRM: 85 FR 57698 (9/16/2020)
 PRM: 85 FR 33049 (6/1/2020)
 State Submission: 2/15/2019
 State Final: 10 C.S.R. 10-6 (1/29/19) (state effective date 2/28/19)
 APDB File: MO-408; Docket No. EPA-R07-OAR-2020-0256; effective 10/16/20
 Description: This revision eliminates restrictions for a facility that is no longer operational as a primary lead smelter, updates the reference to the Subpart X NESHAP, updates the incorporation by reference information, and makes editorial changes to the rule for clarity.

CFR: 40 C.F.R. 52.1320(c)
 FRM: 80 FR 52190 (8/28/2015)
 PRM: 80 FR 30965 (6/1/2015)
 State Submission: 11/6/2009
 State Final: 10 C.S.R. 10-6 (8/31/09) (state effective date 9/30/09)
 APDB File: MO-285 MO-335; Docket No. EPA-R07-OAR-2015-0223; effective 9/28/15
 Description: This revision approves portions of Missouri rule 10 CSR 10-6.120, "Restriction of Lead from Specific Lead Smelter-Refinery Installations." The rule revision was first submitted to EPA by Missouri on November 6, 2009, and was specifically intended to address attainment of the 1978 Lead NAAQS. On March 4, 2015, Missouri withdrew portions of 10 CSR 10-6.120. Specifically, Missouri withdrew subsection (3)(B)1 and Table 1, which contained superseded emission limits for the Herculanum primary lead smelter and refinery and the BRRF main stack emissions limit of 0.00087 grains of lead per dry standard cubic feet (gr/dscf) in subsection (3)(B)2. The Herculanum and BRRF emissions limits are superseded by the SIP revisions that address compliance with the 2008 Lead NAAQS. 79 FR 62572, October 20, 2014, and 80 FR 52190, August 28, 2015, respectively.

CFR: 40 C.F.R. 52.1320(c)
 FRM: 71 FR 33622 (06/12/2006)
 PRM: 71 FR 33668 (06/12/2006)
 State Submission: 04/22/2005
 State Final: 10 C.S.R. 10-6 (02/28/2005) (state effective 03/30/2005)
 APDB File: MO-237; Docket No. EPA-R07-OAR-2006-0462
 Description: This revision removes references to Doe Run, Glover.

CFR: 40 C.F.R. 52.1320(c)
 FRM: 69 FR 51953 (08/24/2004)
 PRM: 69 FR 51986 (08/24/2004)
 State Submission: 05/06/2003
 State Final: 10 C.S.R. 10-6 (04/30/2003)
 APDB File: MO-215; Docket No. EPA-R07-OAR-2004-MO-0002
 Description: This revision pertains to the Doe Run Resource Recycling Facility and lowers the maximum daily throughput limit for the Blast Furnace from 1000 tons per day (tpd) to 786 tpd. It raises the limits for the Reveratory Furnace from 360 tpd to 500 tpd and the limits for the Rotary Melt Furnace from 240 tpd to 300 tpd.

CFR: 40 C.F.R. 52.1320(c)
 FRM: 67 FR 18497 (04/16/2002)
 PRM: 66 FR 63204 (12/05/2001)
 State Submission: 08/03/2000 and 01/10/2001
 State Final: 10 C.S.R. 10-6 (02/28/2001)
 APDB File: MO-126 and MO-170
 Description: EPA approved the Doe Run-Herculanum nonattainment area SIP submission which meets the requirements of section 110 and part D of the CAA and 40 C.F.R. part 51; and EPA also approved the Doe Run-Glover SIP submission showing a change in ownership of the smelter.

CFR: 40 C.F.R. 52.1320(c)
 FRM: 65 FR 62295 (10/18/00)
 PRM: 65 FR 62319 (10/18/00)
 State Submission: 5/17/00
 State Final: 10 C.S.R. 10-6 (11/30/98)
 APDB File: MO-148
 Description: This revision takes final action to ensure the permanent and enforceable emission reductions by clarifying the emissions limits for the Doe Run Resource Recycling Facility and removes the text which could have allowed this facility to resume operation as a primary smelter.

CFR: 40 C.F.R. 52.1320(c) (95) (i) (A)
 FRM: 62 FR 9970 (3/5/97)
 PRM: 60 FR 10000 (8/4/95)
 State Submission: 8/13/96
 State Proposal: 20 MR 7014 (12/15/95)
 State Final: 10 C.S.R. 10-6 (5/31/96)
 APDB File: MO-87

10 CSR 10-6.120

Description: The EPA approved the Asarco Glover, Missouri, emission control plan designed to bring the nonattainment area defined by the boundaries of the Liberty and Arcadia Townships located in Iron County into attainment with the national ambient air quality standard for lead. This rulemaking also contains Consent Decree CV596-98CC with Exhibits A, C, D, E, F, and G that are filed in Vol. 2 under Other Regulatory Requirements.

CFR: 40 C.F.R. 52.1320(c) (89) (i) (A)
FRM: 60 FR 39851 (8/4/95)
PRM: 60 FR 39910 (8/4/95)
State Submission: 7/2/93; 6/30/94; 11/23/94
State Proposal: 19 MR 41 (1/4/94)
State Final: 10 C.S.R. 10-6 (7/29/94)
APDB File: MO-88
Description: The EPA approved a regulation containing provisions which are applicable to the Doe Run Buick lead smelter. This regulation contains two consent orders that are filed in Vol. 2 under Other Regulatory Requirements.

CFR: 40 C.F.R. 52.1320(c) (87) (i) (A)
FRM: 60 FR 22274 (5/5/95)
PRM: 60 FR 22334 (5/5/95)
State Submission: 7/2/93; 6/30/94; 11/23/94
State Proposal: 19 MR 41 (1/4/94)
State Final: 10 C.S.R. 10-6 (7/29/94)
APDB File: MO-65
Description: The EPA approved a regulation containing provisions which are applicable to the Doe Run Herculaneum lead smelter. This regulation contains three consent orders that are filed in Vol. 2 under Other Regulatory Requirements.

CFR: 40 C.F.R. 52.1320(c) (79) (i) (B)
FRM: 59 FR 43480 (8/24/94), Correction Notice 60 FR 16806 (4/3/95)
PRM: 57 FR 32191 (7/21/92)
State Submission: 11/20/91
State Proposal: 16 MR 989 (7/1/91)
State Final: 10 C.S.R. 10-6 (8/20/91)
APDB File: MO-100
Description: This revision updates this rule to include the correct reference method specified in 10 C.S.R. 10-6.030.

CFR: 40 C.F.R. 52.1320(c) (76) (i) (A)
FRM: 57 FR 8077 (3/6/92)
PRM: 56 FR 41500 (8/21/91)
State Submission: 5/8/91
State Proposal: 15 MR 1494 (9/17/90)
State Final: 15 MR 46 (1/2/91)
APDB File: MO-65
Description: The EPA approved a new regulation containing provisions which are applicable to the Doe Run Herculaneum lead smelter. The EPA will not make full approval on this rule until the state submits a plan that meets the Part D requirements.

Difference Between the State and EPA-Approved Regulation

None.