

# Iowa Department of Natural Resources

## Air Quality Construction Permit

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### Permit Holder

**Firm:** Muscatine Power and Water

**Contact:**

Jean Brewster  
Mgr. Environmental Affairs

(563) 262-3259

3205 Cedar Street  
Muscatine, IA 52761

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**Responsible Party:**

Jean Brewster  
Mgr. Environmental Affairs

### Permitted Equipment

**Emission Unit(s):** Mississippi River Levee (EULevee)

**Control Equipment:** None

**Emission Point:** EPLevee

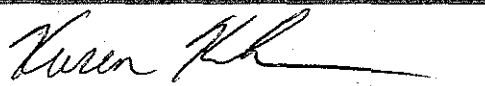
**Equipment Location:** 1700 Dick Drake Way  
Muscatine, IA 52761

**Plant Number:** 70-01-011

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| Permit No. | Project No. | Description  | Date     | Testing |
|------------|-------------|--------------|----------|---------|
| 13-A-161   | 12-290      | Issue Permit | 07/22/13 | No      |
|            |             |              |          |         |
|            |             |              |          |         |

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Under the Direction of the Director of  
the Department of Natural Resources

## PERMIT CONDITIONS

The permit holder, owner and operator of the facility shall assure that the installation, operation, and maintenance of this equipment is in compliance with all of the conditions of this permit and all other applicable requirements. This permit and its provisions are subject to the appeal rights set forth in Iowa Administrative Code (IAC), rule 561—7.5.

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### 1. Departmental Review

This permit is issued based on information submitted by the applicant. Any misinformation, false statements or misrepresentations by the applicant shall cause this permit to be void. In addition, the applicant may be subject to criminal penalties according to Iowa Code Section 455B.146A.

This permit is issued under the authority of 567 Iowa Administrative Code (IAC) 22.3. The proposed equipment has been evaluated for conformance with Iowa Code Chapter 455B; 567 IAC Chapters 20 – 34; and 40 CFR Parts 51, 52, 60, 61, and 63 and has the potential to comply.

No review has been undertaken on the engineering aspects of the equipment or control equipment other than the potential of that equipment for reducing air contaminant emissions. The DNR assumes no liability, directly or indirectly, for any loss due to damage to persons or property caused by, resulting from, or arising out of the design, installation, maintenance or operation of the proposed equipment.

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### 2. Transferability

As limited by 567 IAC 22.3(3)"f", this permit is not transferable from one location to another or from one piece of equipment to another, unless the equipment is portable. When portable equipment for which a permit has been issued is to be transferred from one location to another, the DNR shall be notified in writing at least fourteen (14) days prior to transferring to the new location unless the equipment will be located in an area which is classified as nonattainment for the National Ambient Air Quality Standards (NAAQS) or is a maintenance area for the NAAQS in which case notification shall be given thirty (30) days prior to the relocation of equipment<sup>1</sup> (See Permit Condition 8.A.6). The owner will be notified at least ten (10) days prior to the scheduled relocation if the relocation will cause a violation of the (NAAQS). In such case, a supplements permit shall be required prior to the initiation of construction of additional control equipment or equipments modifications needed to meet the standards.

The permit is for the construction and operation of specific emission unit(s), control equipment, and emission point as described in this permit and in the application for this permit. Any owner or operator of the specified emission unit(s), control equipment, or emission point, including any person who becomes an owner or operator subsequent to the date on which this permit is issued, is responsible for compliance with the provisions of this permit. No person shall construct, install, reconstruct or alter this emissions unit, control equipment or emission point without the required revisions to this permit.

<sup>1</sup> A list of nonattainment areas and maintenance areas for the NAAQS can be obtained from the Department.

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### 3. Construction

It is the owner's responsibility to ensure that construction conforms to the final plans and specifications as submitted, and that adequate operation and maintenance is provided to ensure that no condition of air pollution is created.

This permit shall become void if any one of the following conditions occur:

- (1) the construction or modification of the proposed project, as it affects the emission point(s) permitted herein, is not initiated within eighteen (18) months after the permit issuance date; or
- (2) the construction or modification of the proposed project, as it affects the emission point(s) permitted herein, is not completed within thirty-six (36) months after the permit issuance date; or
- (3) the construction or modification of the proposed project, as it affects the emission point(s) permitted herein, is not completed within a time period specified elsewhere in this permit.

### 3. Construction (Continued)

### **3.a. Original Permits**

The owner or operator shall obtain a new permit if any changes are made to the final plans and specifications submitted for the proposed project.

### **3.b. Modified or Supplemental Permits**

This permit supersedes any and all previous permits issued for the emission point(s) or emission unit(s) permitted herein.

However, the permittee may continue to act under the provisions of the previous permit for the emission point(s) or emission unit(s) until one of the following conditions occurs:

- (1) The proposed project authorized by this permit is completed as it affects the emission point(s) permitted herein; or
- (2) The permit becomes void.

The owner or operator shall obtain a new permit if:

- (1) Any changes are made to the final plans and specifications submitted for the proposed project; or
  - (2) This permit becomes void.
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## **4. Credible Evidence**

As stated in 567 IAC 21.5 and also in 40 CFR Part 60.11(g), where applicable, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any provisions specified in this permit or any provisions of 567 IAC Chapters 20 through 34.

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## **5. Owner Responsibility**

Issuance of this permit shall not relieve the owner or operator of the responsibility to comply fully with applicable provisions of the State Implementation Plan (SIP), and any other requirements of local, state, and federal law.

The owner or operator of any emission unit or control equipment shall maintain and operate the equipment and control equipment at all times in a manner consistent with good practice for minimizing emissions, as required by paragraph 567 IAC 24.2(1) "*Maintenance and Repair*".

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## **6. Excess Emissions**

Excess emissions during a period of startup, shutdown, or cleaning of control equipment are not a violation of the emission standard if it is accomplished expeditiously and in a manner consistent with good practice for minimizing emissions except when another regulation applicable to the unit or process provides otherwise. Cleaning of control equipment, which does not require the shutdown of process equipment, shall be limited to one six-minute period per one-hour period. An incident of excess emissions other than the above is a violation and may be subject to criminal penalties according to Iowa Code 455B.146A. If excess emissions are occurring, either the control equipment causing the excess shall be repaired in an expeditious manner, or the process generating the emissions shall be shutdown within a reasonable period of time, as specified in 567 IAC 24.1.

An incident of excess emissions shall be orally reported to the appropriate DNR field office within eight (8) hours of, or at the start of, the first working day following the onset of the incident (See section 8.B.1). A written report of an incident of excess emissions shall be submitted as a follow-up to all required oral reports within seven (7) days of the onset of the upset condition.

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## **7. Disposal of Contaminants**

The disposal of materials collected by the control equipment shall meet all applicable rules.

## 8. Notification, Reporting, and Recordkeeping

- A. The owner shall furnish the DNR the following written notifications:
1. The date construction, installation, or alteration is initiated postmarked within thirty (30) days following initiation of construction, installation, or alteration;
  2. The actual date of startup, postmarked within fifteen (15) days following the start of operation;
  3. The date of each compliance test required by Permit Condition 12, at least thirty (30) days before the anticipated compliance test date;
  4. The date of each pretest meeting, at least fifteen (15) days before the proposed meeting date. The owner shall request a proposed test plan protocol questionnaire at least sixty (60) days prior to each compliance test date. The completed questionnaire shall be received by the DNR at least fifteen (15) days before the pretest meeting date;
  5. Transfer of equipment ownership, within 30 days of the occurrence;
  6. Portable equipment relocation:
    - a. at least thirty (30) days before equipment relocation if the equipment will be located in a nonattainment area for the National Ambient Air Quality Standards (NAAQS) or a maintenance area for the NAAQS;
    - b. at least fourteen (14) days before equipment relocation.
- B. The owner shall furnish the DNR with the following reports:
1. Excess emissions reports, in accordance with 567 IAC 24.1;
  2. A written compliance demonstration report for each compliance testing event, whether successful or not, postmarked not later than six (6) weeks after the completion of the test period unless other regulations provide for other notification requirements. In that case, the more stringent reporting requirement shall be met;
  3. Operation of this emission unit(s) or control equipment outside of those limits specified in Permit Conditions 10 and 14 and according to the schedule set forth in 567 IAC 24.1.
- C. The owner shall send correspondence regarding this permit to the following address:
- Construction Permit Supervisor  
Air Quality Bureau  
Iowa Department of Natural Resources  
7900 Hickman Road, Suite 1  
Windsor Heights, IA 50324  
Telephone: (515) 281-8189  
Fax: (515) 242-5094
- D. The owner shall send correspondence concerning stack testing to:
- Stack Testing Coordinator  
Air Quality Bureau  
Iowa Department of Natural Resources  
7900 Hickman Road, Suite 1  
Windsor Heights, IA 50324  
Telephone: (515) 281-4899  
Fax: (515) 242-5098
- E. The owner shall send reports and notifications to:

|                                                                                                                                                                                                         |                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| Compliance Unit Supervisor<br>Air Quality Bureau<br>Iowa Department of Natural Resources<br>7900 Hickman Road, Suite 1<br>Windsor Heights, IA 50324<br>Telephone: (515) 281-8448<br>Fax: (515) 242-5127 | DNR Field Office 6<br>1023 West Madison<br>Washington, IA 52353<br>Telephone: (319) 653-2135<br>Fax: (319) 653-2856 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|

## 8. Notification, Reporting, and Recordkeeping (Continued)

- F. All data, records, reports, documentation, construction plans, and calculations required under this permit shall be available at the plant during normal business hours for inspection and copying by federal, state, or local air pollution regulatory agencies and their authorized representatives, for a minimum of two (2) years from the date of recording.

## 9. Permit Violations

Knowingly committing a violation of this permit may carry a criminal penalty of up to \$10,000 per day fine and 2 years in jail according to Iowa Code Section 455B.146A.

## 10. Emission Limits

| Pollutant                          | lb/hr <sup>1</sup> | tons/yr <sup>2</sup> | Additional Limits | Reference (567 IAC) |
|------------------------------------|--------------------|----------------------|-------------------|---------------------|
| Particulate Matter (PM)            | NA                 | NA                   | NA                | NA                  |
| PM <sub>10</sub>                   | NA                 | NA                   | NA                | NA                  |
| PM <sub>2.5</sub>                  | NA                 | NA                   | NA                | NA                  |
| Opacity                            | NA                 | NA                   | NA                | NA                  |
| Sulfur Dioxide (SO <sub>2</sub> )  | NA                 | NA                   | NA                | NA                  |
| Nitrogen Oxides (NO <sub>x</sub> ) | NA                 | NA                   | NA                | NA                  |
| Volatile Organic Compounds         | NA                 | NA                   | NA                | NA                  |
| Carbon Monoxide (CO)               | NA                 | NA                   | NA                | NA                  |
| Lead (Pb)                          | NA                 | NA                   | NA                | NA                  |
| (Single HAP)                       | NA                 | NA                   | NA                | NA                  |
| (Total HAP)                        | NA                 | NA                   | NA                | NA                  |

<sup>1</sup> Standard is expressed as the average of three (3) runs.

<sup>2</sup> Standard is a 12-month rolling total.

## 11. Emission Point Characteristics

This emission point shall conform to the specifications listed below:

| Parameter                           | Value |
|-------------------------------------|-------|
| Stack Height, (ft, from the ground) | NA    |
| Discharge Style                     | NA    |
| Stack Opening, (inches, dia.)       | NA    |
| Exhaust Temperature (°F)            | NA    |
| Exhaust Flowrate (scfm)             | NA    |

The temperature and flow rate are intended to be representative and characteristic of the design of the permitted emission point. The Department recognizes that the temperature and flow rate may vary with changes in the process and ambient conditions. If it is determined that any of the emission point design characteristics are different than the values stated above, the owner/operator must notify the Department and obtain a permit amendment, if required.

## 12. Compliance Demonstration(s) and Performance Testing

| Pollutant         | Initial | Subsequent | Methodology | Frequency |
|-------------------|---------|------------|-------------|-----------|
| PM (federal)      | No      | No         | NA          | NA        |
| PM (state)        | No      | No         | NA          | NA        |
| PM <sub>10</sub>  | No      | No         | NA          | NA        |
| PM <sub>2.5</sub> | No      | No         | NA          | NA        |
| Opacity           | No      | No         | NA          | NA        |
| SO <sub>2</sub>   | No      | No         | NA          | NA        |
| NO <sub>x</sub>   | No      | No         | NA          | NA        |
| VOC               | No      | No         | NA          | NA        |
| CO                | No      | No         | NA          | NA        |
| Pb                | No      | No         | NA          | NA        |
| HAP               | No      | No         | NA          | NA        |

**If an initial compliance demonstration specified above is testing**, the owner shall verify compliance with the emission limitations contained in Permit Condition 10 within ninety (90) days after issuance of this permit.

**If subsequent testing is specified above**, the owner shall verify compliance with the emission limitations contained in Permit Condition 10 according to the frequency noted above.

If testing is required, the owner shall use the test method and run time listed in the table below unless another testing methodology is approved by the Department prior to testing.

| Pollutant         | Test Run Time | Test Method                                                         |
|-------------------|---------------|---------------------------------------------------------------------|
| PM (federal)      | 1 hour        | 40 CFR 60, Appendix A, Method 5                                     |
| PM (state)        | 1 hour        | 40 CFR 60, Appendix A, Method 5<br>40 CFR 51 Appendix M, Method 202 |
| PM <sub>10</sub>  | 3 hours       | 40 CFR 51, Appendix M, 201A with 202                                |
| PM <sub>2.5</sub> | 5 hours       | 40 CFR 51, Appendix M, 201A with 202                                |
| Opacity           | 1 hour        | 40 CFR 60, Appendix A, Method 9                                     |
| SO <sub>2</sub>   | 1 hour        | 40 CFR 60, Appendix A, Method 6C                                    |
| NO <sub>x</sub>   | 1 hour        | 40 CFR 60, Appendix A, Method 7E                                    |
| VOC               | 1 hour        | 40 CFR 60, Appendix A, Method 25A                                   |
| CO                | 1 hour        | 40 CFR 60, Appendix A, Method 10                                    |
| Pb                | 1 hour        | 40 CFR 60, Appendix A, Method 12                                    |
| Other             |               |                                                                     |

The unit(s) being sampled should be operated in a normal manner at its maximum continuous output as rated by the equipment manufacturer, or the rate specified by the owner as the maximum production rate at which this unit(s) will be operated. In cases where compliance is to be demonstrated at less than the maximum continuous output as rated by the manufacturer, and it is the owner's intent to limit the capacity to that rating, the owner may submit evidence to the Department that this unit(s) has been physically altered so that capacity cannot be exceeded, or the Department may require additional testing, continuous monitoring, reports of operating levels, or any other information deemed necessary by the Department to determine whether this unit(s) is in compliance.

Each emissions compliance test must be approved by the Department. Unless otherwise specified by the Department, each test shall consist of three (3) separate runs. The arithmetic mean of three (3) acceptable test runs shall apply for compliance, unless otherwise indicated by the Department.

A pretest meeting shall be held at a mutually agreeable site no less than fifteen (15) days prior to the date of each test. Representatives from the Department shall attend this meeting, along with the owner and the testing firm, if any. It shall be the responsibility of the owner to coordinate and schedule the pretest meeting. The owner shall be responsible for the installation and maintenance of test ports. The Department shall reserve the right to impose additional, different, or more detailed testing requirements.

### **13. NSPS and NESHAP Applicability**

The river levee is not an emissions unit and is not subject to any requirements for the New Source Performance Standards or the National Emission Standards for Hazardous Air Pollutants.

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### **14. Operating Limits**

- A. There are no operating limits associated with the river levee.
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### **15. Operating Condition Monitoring**

All records as required by this permit shall be kept on-site for a minimum of two (2) years and shall be available for inspection by the DNR. Records shall be legible and maintained in an orderly manner. These records shall show the following:

- A. Control measures include restricting public access to the levee that is located between Muscatine Power and Water's (MPW) property and the Mississippi River. Starting on either August 14, 2013 or by no later than 30 days after the date of permit issuance, whichever comes later, MPW shall restrict public access to the levee by posting signs warning of restricted access to the north and south fence lines that intersect the levee. A third sign will be posted in the area of highest modeled concentrations prohibiting loitering and fishing. In-person surveillance of the levee shall be conducted by MPW staff periodically throughout the day with documentation as to surveillance times and locations.

The restriction does not apply to MPW employees, employees, owner or lessees of contiguous properties, federal, state or local officials, emergency and maintenance service personnel (both private and public section), who have a legitimate reason or need for accessing the levee.

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### **16. Continuous Emission Monitoring**

Continuous emission monitoring is not required by this permit at this time.

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## 17. Description of Terms and Acronyms

|                  |                                                                                   |
|------------------|-----------------------------------------------------------------------------------|
| acfm             | Actual cubic feet per minute                                                      |
| Applicant        | The owner, company official or authorized agent                                   |
| CFR              | Code of Federal Regulations                                                       |
| Department       | Iowa Department of Natural Resources                                              |
| DNR              | Iowa Department of Natural Resources                                              |
| gr/dscf          | Grains per dry standard cubic foot                                                |
| HAP              | Hazardous Air Pollutant(s)                                                        |
| IAC              | Iowa Administrative Code                                                          |
| MMBtu            | One million British thermal units                                                 |
| NA               | Not Applicable                                                                    |
| NAAQS            | National Ambient Air Quality Standards                                            |
| NO <sub>x</sub>  | Nitrogen Oxides                                                                   |
| Owner            | The owner or authorized representative                                            |
| Permit           | This document including permit conditions and all submitted application materials |
| PM <sub>10</sub> | Particulate Matter equal to or less than 10 microns in aerodynamic diameter       |
| scfm             | Standard cubic feet per minute                                                    |
| SIP              | State Implementation Plan                                                         |
| SO <sub>2</sub>  | Sulfur Dioxide                                                                    |
| VOC              | Volatile Organic Compound                                                         |

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**END OF PERMIT CONDITIONS**



## Source Specific Permits and Orders

### EPA Rulemakings

CFR: 40 C.F.R. 52.820(d)  
FRM: 79 FR 71025 (12/1/2014) and 80 FR 18133 (4/3/15)  
PRM: 79 FR 46742 (8/11/2014) and 80 FR 18179 (4/3/15)  
State Submission: 2/18/14 and 11/3/14  
State Final: 2/14/14 ACO; permits are individually dated  
APDB File: EPA-R07-OAR-2014-0550 and EPA-R07-OAR-2015-0159; IA-167 and IA-167a  
Description: IA-167 EPA-R07-OAR-2014-0550, and IA 167a EPA-R07-OAR-2015-0159.  
Description: This action approves Iowa's State Implementation Plan to address the 2011 SIP Call for the 2006 24-hour PM2.5 NAAQS for the Muscatine County, Iowa area. The state's plan addresses the requirements of the SIP Call and includes into the SIP permits for Muscatine Power and Water and Union Tank Car. It also includes an Administrative Consent Order for Grain Processing Corporation. IA 167 published December 1, 2014 approved new permits (29)-(109), codified in 52.820(d), IA 167a updates and revises the previously approved permits for administrative errors and approves the updated versions of the permits that were not available when IA-167 was published.

### Difference Between the State and EPA-Approved Regulation:

(29) Grain Processing Corporation, Administrative Consent Order NO.2014-AQ-A1, the last sentence of Paragraph 5, Section III and Section VI are not approved by EPA as part of the SIP.