



Missouri Department of dnr.mo.gov

NATURAL RESOURCES

Michael L. Parson, Governor

Dru Buntin, Director

April 14, 2022

Meg McCollister
Regional Administrator
U.S. EPA, Region VII
11201 Renner Boulevard
Lenexa, KS 66219

Dear Meg McCollister:

The Missouri Department of Natural Resources' Air Pollution Control Program (Air Program) hereby submits the following State Implementation Plan (SIP) revision for your approval:

Ameren Sioux Sulfur Dioxide Consent Agreement

Through this submission, the Air Program is requesting that the U.S. Environmental Protection Agency (EPA) take the following action:

- Approve Administrative Order on Consent No.APCP-2021-018 for the Ameren Sioux Energy Center as a revision to the Missouri State Implementation Plan. Specifically, include it as a new item in 40 CFR 52.1320(d).

The Missouri Air Conservation Commission adopted this SIP revision at the March 31, 2022 commission meeting. The commission has full legal authority to develop SIP revisions pursuant to Section 643.050 of the Missouri Air Conservation Law. The Air Program held a public hearing for this proposed SIP revision on January 27, 2022. The Air Program accepted comments on the proposed SIP revision from December 27, 2021 through February 3, 2022. During the public comment period, the Air Program received comments from one (1) commenter. A summary of the comments received and our responses is attached

Enclosed are the required submittal elements for determination of plan completeness per 40 CFR Part 51, Appendix V. The Air Program is providing a searchable pdf version of this submittal through EPA's State Planning Electronic Collaboration System (SPECS) and the Air Program will post the complete submittal package on our website.

Thank you for your attention to this matter. If you have any questions regarding this submittal, please contact Mr. Mark Leath with the Missouri Department of Natural Resources' Air

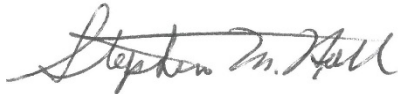


Meg McCollister
Page Two

Pollution Control Program at P.O. Box 176, Jefferson City, MO 65102 or by telephone at (573) 751-4817.

Sincerely,

AIR POLLUTION CONTROL PROGRAM

A handwritten signature in cursive script that reads "Stephen M. Hall".

Stephen M. Hall
Director

SMH:vjc

Enclosures:

Copy of SIP revision and appendix
Copy of signature pages certifying MACC adoption
Copy of public hearing notices
Copy of public hearing transcript introductory statement
Copy of recommendation for adoption
Copy of comments and responses

c: Missouri Air Conservation Commission
File: 2010-SO2-9 Ameren Sioux

Missouri State Implementation Plan Revision

Ameren Sioux Sulfur Dioxide Consent Agreement

**Prepared for the
Missouri Air Conservation Commission**



**Adoption
March 31, 2022**

**Missouri Department of Natural Resources
Division of Environmental Quality
Air Pollution Control Program
Jefferson City, Missouri**

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Executive Summary

The purpose of this State Implementation Plan (SIP) revision is to incorporate Consent Agreement No. APCP-2021-018 into Missouri's SIP. This Consent Agreement is between the Missouri Department of Natural Resources' Air Pollution Control Program (Air Program) and the Ameren Missouri (Ameren) – Sioux Energy Center (Sioux). The Consent Agreement establishes an enforceable mechanism for new sulfur dioxide (SO₂) emission limits at Sioux. This will allow the Air Program to rely on these new lower limits in future SIP actions and other technical demonstrations required under the Clean Air Act (CAA).

Ameren entered into this agreement voluntarily as a proactive measure to help strengthen Missouri's SIP, which helps to ensure ongoing air quality in the St. Louis region. In 2010, Ameren installed state-of-the-art SO₂ emission control technology at Sioux as part of their overall environmental strategy. Ameren's willingness to enter into this Consent Agreement as a SIP strengthening measure allows the Air Program to take credit in the SIP for the air quality improvement achieved by Ameren through their SO₂ control strategy at Sioux.

1. Background

On June 22, 2010, the EPA established a new primary 1-hour SO₂ standard of 75 parts per billion (ppb), based on the three-year average of the annual 99th percentile of 1-hour daily maximum concentrations.¹ This new SO₂ standard replaces the previous 24-hour and annual primary SO₂ standards promulgated in 1971.² Once EPA establishes or revises a National Ambient Air Quality Standard (NAAQS), the Clean Air Act requires EPA to designate areas as "attainment" (meeting), "nonattainment" (not meeting), or "unclassifiable" (insufficient data).

1.1 *Boundary Designations for the 2010 SO₂ Standard*

Once EPA establishes or revises a National Ambient Air Quality Standard (NAAQS), the Clean Air Act requires EPA to designate areas as "attainment" (meeting), "nonattainment" (not meeting), or "unclassifiable" (insufficient data). EPA chose a different approach to determine attainment status for the 2010 SO₂ standard. Unlike other criteria pollutants, SO₂ is almost exclusively a point source-emitted pollutant. A monitoring network large enough to adequately cover all large sources would be prohibitively expensive and an affordable network would leave large gaps in coverage. Therefore, EPA decided to use a hybrid monitoring-modeling approach for the boundary designations under the 2010 SO₂ standard.

EPA promulgated designations under this standard for areas throughout the nation in four separate rounds. In the initial round, EPA designated certain areas as nonattainment based on monitoring data from existing monitors showing a violation of the standard but did not act to designate any other areas. In Missouri, EPA designated portions of Jackson and Jefferson Counties as nonattainment for the 2010 SO₂ standard, effective October 4, 2013, but did not designate any remaining areas of the state at that time.³

In the second round EPA promulgated designations in areas that contained either a newly violating monitor or a stationary source that –

- emitted at least 16,000 tons of SO₂ in 2012; or
- emitted at least 2,600 tons of SO₂ and had an average emission rate of at least 0.45 lbs. SO₂/MMBtu in 2012.

In second round for Missouri, EPA designated two areas as unclassifiable. This included one area located in a portion of Jackson County, which was outside the original nonattainment area in Jackson County. The other unclassifiable area included portions of Franklin and St. Charles counties. In this second round, EPA also designated one more area in Missouri. This third area included the entirety of Scott County, which EPA designated as attainment/unclassifiable.

In the third round, EPA promulgated final designations for the majority country including all remaining undesignated areas, except those which had elected to install new ambient SO₂

¹ See 75 FR 35520; promulgated June 22, 2010

² See 36 FR 8187; promulgated April 30, 1971

³ See 78 FR 47191; promulgated August 5, 2013

monitors by January 1, 2017.⁴ In the third round, EPA designated all of St. Charles County as attainment/unclassifiable, except the portion of the county EPA designated as unclassifiable in round 2. The attainment/unclassifiable designation in round 2 for the majority of St. Charles County included the area surrounding the Ameren Sioux facility.

EPA promulgated the fourth and final round of designations in early 2021. This round included designations for all areas of the country that remained undesignated after the first three rounds. In Missouri, EPA designated a portion of New Madrid County as nonattainment, and all remaining areas in the state as attainment/unclassifiable.

1.2 Ameren Missouri – Sioux Energy Center

Sioux is located in St. Charles County along the Mississippi River, just north of City of the St. Louis. EPA designated the area surrounding Sioux as attainment/unclassifiable in early 2018. With the attainment designation, the Air Program has not needed to develop any new SO₂ requirements for Sioux in Missouri's SIP.

Sioux operates two coal-fired boilers that generate electricity for use in the region. In 2010, Ameren installed wet flue-gas desulfurization control technology to reduce SO₂ emissions from their two boilers. This state-of-the-art control technology reduced the actual SO₂ emissions at Sioux by nearly 90 percent. The installation of this technology was part of Ameren's overall environmental control strategy for various federal Clean Air Act requirements, but was not dictated by any state or federal statute or regulation. Nonetheless, the decision by Ameren to install this technology drove true improvements to air quality for residents living in the region.

Sioux is subject to numerous state and federal air regulations, and is required to operate a continuous emission monitoring system (CEMS) for SO₂ on both of their boilers. This allows for the reporting of actual hourly emission levels coming from the two boilers at the facility. Ameren uses their CEMS to demonstrate compliance with several air regulations they are subject to. The Consent Agreement included in this SIP revision also requires the use of their CEMS to demonstrate compliance with the new enforceable limits in the Consent Agreement.

⁴ See 83 FR 1098; promulgated January 9, 2018

2. Summary of Consent Agreement

The purpose of the Consent Agreement is to provide for the new SO₂ emission limits at Sioux to be credited as an enforceable measure in the SIP. Ameren has voluntarily agreed to enter into this Consent Agreement to strengthen Missouri's SIP. The Consent Agreement includes facility-wide 24-hour block average emission rate limits. A copy of the Consent Agreement is provided in Appendix A.

2.1 *SO₂ Emissions Restrictions*

The SO₂ emission limit and averaging time included in the Consent Agreement for Sioux are provided in Table 1. The limit is listed as a facility-wide limit, but only applies to Boilers 1 and 2 at the facility.

Table 1 – Ameren Missouri Sioux Energy Center - SO₂ Emission Limits

Source	Source ID	Emission Limit per Source (pounds SO ₂ per hour)	Averaging Time
Ameren Missouri – Sioux Energy Center	1830001	7,342	24-hour block average

2.2 *Monitoring, Recordkeeping, and Reporting Requirements*

The Consent Agreement requires Ameren to determine compliance with the emission restrictions by use of the SO₂ CEMS installed at Sioux. Additional details in the Consent Agreement include references to the sections in the Code of Federal Regulations (CFR) that Ameren must follow regarding the operation of the CEMS. The CEMS will be operated in accordance with 40 CFR 75. However, Ameren is not required to use the bias and substitution methods included in 40 CFR 75 when determining compliance with the emission limits included in the Consent Agreement. Instead, the CEMS bias and substitution data that will be used to determine compliance with the Consent Agreement limits will be handled in the same manner as limits associated with federal New Source Performance Standards included in 40 CFR 60.

Ameren will also maintain all hourly data and computations related to demonstrating compliance with the 24-hour block average emission limit and keep this data for a period of at least five years. Ameren shall report on compliance with the emission limits in Table 1 on the same schedule as the annual compliance certification required in accordance with the operating permits issued under 40 CFR Part 70.

2.3 *Compliance Determination*

The Consent Agreement clarifies how compliance will be determined for the facility-wide SO₂ emission limit listed in Table 1. As specified in paragraph 3.B. in the Consent Agreement,

Ameren will first calculate the calendar-day 24-hour block average emission rate for each unit that is subject to the facility-wide emission limit. Only valid operating hours will be included in the calculations for these daily unit-level emission rates. Once the unit-level emission rates are calculated, Ameren will add these numeric rates together for the units at a facility-level. This sum of all the unit-level emission rates at the facility will then be compared to the limits in Table 1 to determine compliance.

3. Public Participation

In accordance with Section 110(a)(2) of the CAA, the Missouri Air Conservation Commission (MACC) will hold a public hearing prior to adoption of this SIP revision and the subsequent submittal to EPA. The Air Program notified the public and other interested parties of the public hearing and comment period at least 30 days prior to the public hearing for this SIP revision. Specifically –

- Notice of availability of the proposed SIP revision and announcement of the public hearing was posted on the Air Program website by December 27, 2021.
- The MACC held a public hearing to receive comments on the proposed SIP revision on January 27, 2022.
- The Air Program opened a public comment period on December 27, 2021, after posting the proposed SIP revision on the Air Program’s website. The public comment period closed on February 3, 2022, seven (7) days after the public hearing.

Conclusion

This action incorporates new SO₂ emission limits for Sioux into the SIP. The Consent Agreement includes the necessary monitoring, recordkeeping, and reporting requirements for determining compliance with the new emission limits. By voluntarily entering into this agreement with the Air Program, Ameren is helping to strengthen Missouri’s SIP and provide more protection for air quality in the St. Louis region. This SIP revision has been prepared in accordance with the requirements of the CAA, Missouri statutes, and corresponding state and federal regulations.

Appendix A

Consent Agreement for Ameren Missouri – Sioux Plant

BEFORE THE MISSOURI DEPARTMENT OF NATURAL RESOURCES

In the Matter of:

AMEREN MISSOURI
d/b/a

AMEREN MISSOURI – SIOUX ENERGY)
CENTER)

)
)
) No. APCP-2021-018
)
)

CONSENT AGREEMENT

The issuance of this Agreement No. APCP-2021-018 by the Missouri Department of Natural Resources (Department) is a formal administrative action taken by the State of Missouri after conference with Ameren Missouri (Ameren). The parties agree this Agreement is being issued to administer, implement, and enforce the purposes of the Missouri Air Conservation Law, Chapter 643, RSMo, and its implementing regulations. The parties agree that this Agreement is being issued as an administrative order under 6430.060(4), RSMo. Ameren further agrees that failure to comply with this Agreement is a violation of the Missouri Air Conservation Law under Section 643.151, RSMo.

BACKGROUND

In June 2010, the Environmental Protection Agency (EPA) promulgated the 1-hour Sulfur Dioxide (SO₂) primary National Ambient Air Quality Standard of 75 parts per billion (ppb)(2010 SO₂ NAAQS). Ameren operates the Sioux Energy Center (Sioux) within St. Charles County. EPA designated the portion of St. Charles County, where Sioux is located, as attainment/unclassifiable effective April 9, 2018. Subsequent State Implementation Plan (SIP) actions by the Department did not specify emission limits for Sioux as the area is not in a

nonattainment area for the 2010 SO₂ NAAQS. The SO₂ emission limits described below are voluntarily entered into by Ameren and are intended to augment the SIP as they provide enforceable emission limits that are lower than the existing Sioux limits in any state rule or other enforceable mechanism included in the SIP.

AGREEMENT

1. SO₂ Emission Limits - Ameren shall limit SO₂ emissions as specified in Table A.

Limits in Table A apply only to coal fired steam electric generating units specified in Table B and do not include any other fuel combustion sources at the energy centers. Emergency equipment, combustion turbines, natural gas fired units, and auxiliary boilers are specifically excluded from the emission limit below, as are any other non-coal fired steam electric generating units.

Table A- Ameren Missouri SO₂ Emission Limits

Source	Source ID	Emission Limit per Source (pounds SO ₂ per hour)	Averaging Time
Ameren Missouri – Sioux Energy Center	1830001	7,342	24-hour block average

Table B - Units Subject to Facility-Wide Emission Limits in Table A

Unit Name	Operating Permit Identifier	Emission Inventory Identifier
Sioux Energy Center		
Boiler 1	B-1	B-01
Boiler 2	B-2	B-02

2. Reservation of Rights Regarding Adjustment of Table 1 Emission Limits - The parties agree that nothing herein shall preclude the Department from taking regulatory action, including but not limited to a rulemaking, to seek additional emission reductions for the purposes of the 2010 SO₂ NAAQS. Ameren reserves the right to oppose, challenge, or contest such future regulatory action.

3. Compliance and Enforcement Requirements

A. Emission Unit Monitoring Requirements:

- i. All coal fired steam electric generating units subject to the facility-wide emission limit in Table A shall operate and maintain an SO₂ Continuous Emissions Monitoring System (CEMS). Ameren has installed and certified SO₂ CEMS for the units in Table B according to the requirements of 40 CFR 75.20(c) (1) and 40 CFR 60 Appendix B. If Ameren continues to meet the ongoing quality assurance requirements of 40 CFR 75.21 and 40 CFR 75 Appendix B, these CEMS may be used to meet the monitoring requirements of this Agreement.
- ii. Per the requirements of 40 CFR 75.10 (d), the CEMS will be in operation at all times that the affected unit combusts fuel, except as provided in 40 CFR 75.11(e) and during periods of calibration, quality assurance, or preventive maintenance, performed pursuant to 40 CFR 75.21 and 40 CFR 75 Appendix B, periods of repair, periods of backups of data from the data acquisition and handling system, or recertification performed pursuant to §75.20.

111. The SO₂ data used in the Compliance Determination in Paragraph 3.B. of this Agreement and used to meet the Reporting Requirements of this Agreement shall not include substitute data values derived from the missing data procedures in 40 CFR Part 75 subpart D, nor shall the SO₂ data have been bias adjusted according to the procedures of part 75 of this chapter.

B. Compliance Determination:

1. Quality assured hourly SO₂ CEMS data will be used to determine compliance with the facility-wide emission limit in Table A. Ameren shall use the following procedures to calculate the 24-hour block average emission rate for Sioux:
 - a. For each calendar day 24-hour block and for each coal fired steam electric generating unit in Table B, include only hours that meet the primary equipment hourly operating requirements of 40 CFR 75.10 (d). Hours when the units are experiencing startup, shutdown, or malfunction conditions will be used for the calculation if they meet the primary equipment hourly operating requirements of 40 CFR 75.10 (d).
 - b. For each unit, for included hours, sum the value of the calendar day 24-hour block SO₂ emissions in pounds and divide by the number of hours included. Then sum this resulting value for the two coal fired steam electric generating units in Table 2.
11. Compliance for the calendar day 24-hour block period is demonstrated if the sum calculated in paragraph 3.B.i.b. is less than or equal to the facility-wide limit in Table A.

C. Recordkeeping

1. Ameren shall maintain all hourly data and computations related to the calendar day 24-hour block SO₂ average for a period of at least 5 years. Ameren shall make this data available within 5 business days from a written or electronic request from the Department.
11. Ameren shall maintain a record of data, calculations, results, records, and reports from any SO₂ emissions performance test.
111. Ameren shall maintain a record of any applicable SO₂ monitoring data, SO₂ CEMS performance evaluations, calibration checks, monitoring system and device performance tests, and any adjustments and maintenance performed on these systems or devices.

D. Reporting

- i. Ameren shall report on compliance with the facility-wide emission limit in Table A on the same schedule as the annual compliance certification required in accordance with the operating permits issued under 40 CFR Part 70.
- ii. On a quarterly basis, Ameren shall make a summary report of excess emissions and monitoring system downtime for the facility limit listed in Table A in accordance with the requirements of 40 CFR 60.7(c) for the monitoring conducted in accordance with the requirements of this Agreement. In this summary report, Ameren shall identify all periods of excess emissions within thirty (30) days

following the end of the quarter. In all cases, the report must be a written report and include, at a minimum, the following:

- a. Name and location of source;
- b. Name and telephone number of person responsible for the source;
- c. Identity and description of the equipment involved;
- d. Time and duration of the period of SO₂ excess emissions;
- e. Type of activity;
- f. Estimate of the magnitude of the SO₂ excess emissions expressed in the units of the applicable emission control regulation and the operating data and calculations used in estimating the magnitude;
- g. Measures taken to mitigate the extent and duration of the SO₂ excess emissions; and
- h. Measures taken to remedy the situation which caused the SO₂ excess emissions and the measures taken or planned to prevent the recurrence of these situations.

E. Testing

- i. Ameren shall use one or more of the following test methods contained in 40 CFR 60, Appendix A, published as of July 1, 2018.
 - a. Method 1: Sample and velocity transverses for stationary sources
 - b. Method 2: Determination of stack gas velocity and volumetric flow rate
(Type S pitot tube)
 - c. Method 3: Gas analysis for the determination of dry molecular weight
 - d. Method 4: Determination of moisture content in stack gases

- e. Method 6: Determination of Sulfur Dioxide Emissions from Stationary Sources
 - f. Method 6A: Determination of Sulfur Dioxide, Moisture, and Carbon Dioxide from Fossil Fuel Combustion Sources
 - g. Method 6B: Determination of Sulfur Dioxide and Carbon Dioxide Daily Average Emissions from Fossil Fuel Combustion Sources
 - h. Method 6C: Determination of Sulfur Dioxide Emissions from Stationary Sources (Instrument Analyzer Procedure)
 - 1. Method 8: Determination of sulfuric acid mist and sulfur dioxide emissions from stationary sources
- ii. As a source using an SO₂ CEMS to demonstrate compliance with the limit in Table A, Ameren shall follow the requirements in 40 CFR 75, promulgated as of June 30, 2018, and/or 40 CFR 60, appendices B and F, promulgated as of July 1, 2018.

OTHER PROVISIONS

1. By signing this Agreement, all signatories assert that they have read and understand the terms of this Agreement, that they had the opportunity to consult with legal counsel, and that they have the authority to sign this Agreement on behalf of their respective parties.

2. The parties agree that this Agreement will be submitted to the EPA as part of a SIP revision, as required in 42 U.S.C. § 7401, et seq., and will become federally enforceable upon EPA approval.

3. This Agreement shall be construed and enforced according to the laws of the State of Missouri, and the terms stated herein shall constitute the entire and exclusive agreement of the parties hereto with respect to the matters addressed herein, notwithstanding any pending rulemakings or legislation. The parties agree that the enforceability of this Agreement shall be subject to the procedures for enforcement of orders granted to the Department. The terms of this Agreement supersede all previous memoranda of understanding, notes, conversations, and agreement.

4. This Agreement shall not be construed as a waiver or a modification of any requirements of the Missouri Air Conservation Law and regulations or any other source of law, and that this Agreement does not resolve any claims based on any failure by Ameren to meet the requirements of this Agreement, or claims for past, present, or future violations of any statutes or regulations.

5. Nothing in this Agreement is intended to constitute an admission or statement by Ameren that the Sioux Energy Center or any other Ameren generating unit has adversely impacted or has the potential to adversely impact any nonattainment area under the 2010 SO₂ NAAQS.

6. The provisions of this Agreement shall apply to and be binding upon the parties executing this Agreement, their agents, subsidiaries, successors, assigns, affiliates, and lessees, including the officers, agents, servants, corporations and any persons acting under, through, or for the parties agreeing hereto. Any changes in ownership or corporate status, including but not limited to any transfer of assets or real or personal property, shall not affect the responsibilities of Ameren under this Agreement. If Ameren sells or otherwise transfers its business or the real estate that is the situs of the Sioux Energy Center then Ameren shall cause as a condition of such

sale or transfer, that the buyer will assume the obligations of Ameren under this Agreement in writing. In such event, Ameren shall provide thirty (30) days prior written notice of such assumption to the Department.

7. This Agreement may only be modified upon the mutual written agreement of Ameren and the Department. This Agreement may not be modified orally.

8. If any provision of this Agreement is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.

9. Nothing in this Agreement excuses Ameren for any future non-compliance with the laws of the State of Missouri, and the Department expressly reserves the right to address future noncompliance in any manner authorized by law.

10. This Consent Agreement will become final, effective, and fully enforceable by the Department once it is executed by each of the parties. The Department shall send a fully executed copy of this Agreement to Ameren.

TERMINATION

11. This Agreement shall be terminated upon mutual written agreement of Ameren and the Department.

CORRESPONDENCE AND DOCUMENTATION

12. Correspondence or documentation with regard to this Agreement shall be directed to the following persons, subject to change upon written notification from either party:

For the Department:

Compliance and Enforcement Section Chief
Air Pollution Control Program
P.O. Box 176
Jefferson, City, Missouri 65102-0176

Or by email to: AirComplianceReporting@dnr.mo.gov

For Ameren:

Manager of Environmental Services
Ameren Missouri
1901 Chouteau Ave.
St. Louis, Missouri 63166

RIGHT OF APPEAL

Notwithstanding the rights reserved in paragraph 2, by signing this Agreement, Ameren waives any right to appeal, seek judicial review, or otherwise challenge this Agreement pursuant to Sections 643.130, 643.085, or 621.250 RSMo, Chapters 536, 643, or 640 RSMo, 10 CSR 10-1.030, or any other source of law.

AGREED TO AND ORDERED

**MISSOURI DEPARTMENT OF
NATURAL RESOURCES**

Original signed by
Stephen M. Hall

Steven M. Hall, Director
Air Pollution Control Program
Missouri Department of
Natural Resources

Date: December 14, 2021

AMEREN MISSOURI

Original signed by
Mark C. Birk

Mark C. Birk
Senior Vice President – Customer and
Power Operations
Ameren Missouri

Date: 12/13/21

Order of Rulemaking

The Missouri Air Conservation Commission **ADOPTS** the following action on this 31st day of March, 2022:

Missouri State Implementation Plan Revision – Ameren Sioux Sulfur Dioxide Consent Agreement

R. W. H. Ru, Chairman

Mark A. Foley, Vice Chairman

Andy Pan, Member

_____, Member

_____, Member

_____, Member

_____, Member

Order of Rulemaking

The Missouri Air Conservation Commission **ADOPTS** the following action on this 31st day of March, 2022:

Missouri State Implementation Plan Revision – Ameren Sioux Sulfur Dioxide Consent Agreement

R. W. H. Du, Chairman

_____, Vice Chairman

Sam J. Pan, Member

_____, Member

Kevin Ruben, Member

_____, Member

_____, Member

Order of Rulemaking

The Missouri Air Conservation Commission **ADOPTS** the following action on this 31st day of March, 2022:

Missouri State Implementation Plan Revision – Ameren Sioux Sulfur Dioxide Consent Agreement

R. W. H. Ru, Chairman

_____, Vice Chairman

Sam J. Parn, Member

_____, Member

_____, Member

_____, Member

Ericka Barber, Member

Morgan, Cheri

From: Missouri DNR <modnr@modnr.dmarc.public.govdelivery.com>
Sent: Tuesday, December 21, 2021 9:52 AM
To: Bybee, Darcy; Gilmore, David; Fredrick, Miranda; Beydler, Van; Bloomer, Susan; Quinn, Brian; Hall, Stephen; Stevens, Jeffrey; Downs, Jerry; Arwe, Andrea; Payne, Stan; Morgan, Cheri; Holden, Tisha; Patterson, Connie; Maliro, Patricia; Moore, Kyra; Kremer, Karen; Rice, Heidi
Subject: Courtesy Copy: Missouri Air Conservation Commission Public Hearing - January 27, 2022

This is a courtesy copy of an email bulletin sent by Cheri Morgan.

This bulletin was sent to the following groups of people:

Subscribers of Air Public Notices (1688 recipients)



Having trouble viewing this email? [View it as a Web page.](#)



Missouri Air Conservation Commission Will Hold Public Hearing

The Missouri Air Conservation Commission will hold a public hearing on Thursday, January 27, 2022 beginning at 9 a.m. Elm Street Conference Center, 1730 East Elm Street, Lower Level, Bennett Springs Conference Room, Jefferson City, Missouri, and online with live video conferencing during the Missouri Air Conservation Commission meeting. Information for online participation is available at <https://dnr.mo.gov/commissions-boards-councils/air-conservation-commission>. The commission will hear testimony related to the following proposed actions:

- 10 CSR 10-6.062 (amendment) Construction Permits by Rule

The purpose of this amendment is to amend paragraph (3)(B)2. and subparagraph (3)(B)2.A. to remove a provision allowing the burning of illegal and waste pharmaceutical drugs in crematories and animal incinerators, and change a reference made to another state rule. EPA has finalized new management standards for the disposal of pharmaceuticals.

- 10 CSR 10-5.490 (amendment) Municipal Solid Waste Landfills

The purpose of this proposed amendment is to reference the new federal emission thresholds and compliance schedules (40 CFR 62, Subpart OOO) for municipal solid waste landfills in the St. Louis area that accepted waste after November 8, 1987, and commenced construction, reconstruction, or modification before July 17, 2014. This rule implements a smaller landfill size limit with a lower emission cutoff limit in the St. Louis area for gas collection and control systems.

- 10 CSR 10-6.310 (amendment) Restriction of Emissions From Municipal Solid Waste Landfills

The purpose of this proposed amendment is to reference the new federal emission thresholds and compliance schedules (40 CFR 62, Subpart OOO) for municipal solid waste landfills that accepted waste after November 8, 1987, and commenced construction, reconstruction, or modification before July 17, 2014. This action is not a revision to the Missouri State Implementation Plan.

- Missouri State Plan Revision – Section 111(d) State Plan for Municipal Solid Waste Landfills

The purpose of this state plan revision is to address the non-regulatory elements of Clean Air Act Section 111(d) for existing municipal solid waste landfills in Missouri. This plan includes an inventory of affected sources and explains how the state rules fulfill the regulatory requirements needed for EPA to approve the plan. This action is not a revision to the Missouri State Implementation Plan.

- Missouri State Implementation Plan Revision – Maintenance Plan for the St. Louis Nonattainment Area for the 2015 Ozone Standard

This plan addresses the Clean Air Act requirements for maintenance plans for the Missouri portion of the St. Louis nonattainment area under the 2015 ozone standard. Monitoring data for the years 2019-2021 demonstrates the area has come into compliance with the standard of 70 parts per billion. EPA's approval of this maintenance plan must occur before EPA can redesignate the area to attainment. The department intends to submit a formal redesignation request for the area concurrently with this maintenance plan.

- Redesignation Request for the St. Louis Nonattainment Area for the 2015 Ozone Standard

This action requests that EPA redesignate the Missouri portion of the St Louis nonattainment area to attainment under the 2015 ozone standard. This request is in accordance with Section 107(d)(3)(E) of the Clean Air Act and demonstrates the area has met the required statutory elements to redesignate a nonattainment area to attainment. Redesignation to attainment will occur when EPA promulgates final approval of this request. This redesignation request is not a revision to the Missouri State Implementation Plan.

- Missouri State Implementation Plan Revision – Ameren Sioux Sulfur Dioxide Consent Agreement

The purpose of this action is to incorporate a voluntary consent agreement between the department and the Ameren Sioux facility into Missouri's state implementation plan (SIP). Through the consent agreement, the Ameren Sioux facility is agreeing to enforceable SO₂ requirements that are lower than their current permitted levels. This will allow the department to take credit in the SIP for reductions in SO₂ emissions that Ameren has achieved at the Sioux facility.

If the commission adopts the actions, it will be the department's intention to submit the actions to the U.S. Environmental Protection Agency to be included in Missouri's State Implementation Plan, unless otherwise noted above.

Documents for the above items will be available for review at the Missouri Department of Natural Resources, Air Pollution Control Program, 1659 Elm Street, Jefferson City, (573) 751-4817 and in the Public Notices section of the program web site <https://dnr.mo.gov/air/what-were-doing/public-notices-comments>. This information will be available at least 30 days prior to the public hearing date.

The department will accept comments for the record until 5 p.m. on February 3, 2022. Please send written comments to Chief, Air Quality Planning Section, Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102-0176. Email comments may be submitted via the program web site noted above. All comments and public hearing testimony will be equally considered.

Citizens wishing to speak at the public hearing should notify the secretary to the Missouri Air Conservation Commission, Missouri Department of Natural Resources, Air Pollution Control Program, P.O. Box 176, Jefferson City, Missouri 65102-0176, or telephone (573) 751-7840. The department requests persons intending to give verbal presentations also provide a written copy of their testimony to the commission secretary at the time of the public hearing.

People with disabilities requiring special services or accommodations to attend the meeting can make arrangements by calling the program directly at (573) 751-4817, the Division of Environmental Quality's toll free number at (800) 361-4827, or by writing two weeks in advance of the meeting to: Missouri Department of Natural Resources, Air Conservation Commission Secretary, P.O. Box 176, Jefferson City, MO 65102. Hearing impaired people may contact the program through Relay Missouri, (800) 735-2966.\TTY.

We'd like your feedback on the service you received from the Missouri Department of Natural Resources. Please consider taking a few minutes to complete the department's Customer Satisfaction Survey at surveymonkey.com/r/MoDNRsurvey. Thank you.



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Calendar

DECEMBER

21

Tuesday

Dec. 21 - Feb. 3 — Statewide

Proposed Missouri State Implementation Plan Revision: Ameren Sioux Sulfur Dioxide Consent Agreement Public Comment Period, Dec. 21, 2021 to Feb. 3, 2022 (/calendar/event/153476)

The Missouri Department of Natural Resources is proposing revisions to the Missouri State Implementation Plan (SIP) to include a voluntary consent agreement between the department and Ameren's...

Area of Focus: Air Event Type: Public Notice/ Public Comment

Organization: Air Pollution Control Program

The Missouri Department of Natural Resources is proposing revisions to the Missouri State Implementation Plan (SIP) to include a voluntary consent agreement between the department and Ameren's Sioux Energy Center, located in St. Charles County. The department invites the public to review and offer written comments on the proposed consent agreement until **Feb. 3, 2022. All comments must be received or postmarked by 5 p.m.** The public can review the proposed revisions below.

Written comments may be submitted by mail to Missouri Department of Natural Resources, Air Pollution Control Program, ATTN: Air Quality Planning Section Chief, PO Box 176, Jefferson City, MO 65102-0176 or by email to apcpsip@dnr.mo.gov (<mailto:apcpsip@dnr.mo.gov>). The department will hold a public hearing about the proposed revision during the Missouri Air Conservation Commission meeting on Jan. 27, 2022. Please follow the hearing link for more information.

Through the consent agreement, the Ameren Sioux facility is agreeing to enforceable sulfur dioxide (SO₂) requirements that are lower than their current permitted levels. This will allow the department to take credit in the SIP for reductions in SO₂ emissions that Ameren achieved at the Sioux facility.

Event Documents

- **Proposed Missouri State Implementation Plan Revision: Ameren Sioux Sulfur Dioxide Consent Agreement, Dec. 14, 2021** (</document/proposed-missouri-state-implementation-plan-revision-ameren-sioux-sulfur-dioxide-consent-agreement-dec-14-2021>)

Location Information

Statewide, MO

Statewide

Contact Information

Air Quality Planning Section Chief

573-751-7840 (tel:5737517840)

apcpsip@dnr.mo.gov (mailto:apcpsip@dnr.mo.gov)

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[Proposed Rules\(https://apps5.mo.gov/proposed-rules/welcome.action#OPEN\)](#)

1) ~~telephone?~~

2) ~~Okay. Hearing none, this public -- this~~

3) ~~item on the public hearing, we're moving to the~~

4) ~~next. Thank you, Aaron.~~

5 The next public hearing item, Missouri
6 State Implementation Plan Revision, Ameren Sioux
7 Sulfur Dioxide Consent Agreement by Valion Joyce.

8 Valion.

9 MR. JOYCE: Mr. Chairman, members of the
10 commission. My name is Valion Joyce. I'm employed
11 in the State Implementation Plan unit program --
12 plan unit with the Missouri Department of Natural
13 Resources Air Pollution Control Program. I work at
14 1659 East Elm Street, Jefferson City, Missouri. I
15 am here today to present testimony on the proposed
16 Missouri State Implementation Plan or SIP revision
17 titled Ameren Sioux Sulfur Dioxide Consent
18 Agreement. The executive summary for this plan
19 starts on page 206 of the briefing document.

20 The purpose of this action is to
21 incorporate a voluntary consent agreement between
22 the department and the Ameren Sioux facility into
23 Missouri's SIP. Through the consent agreement, the
24 Ameren Sioux facility is agreeing to enforceable
25 sulfur dioxide, or SO₂, requirements that are lower

1 than the current permit levels. This will allow the
2 department to take credit in the SIP for reductions
3 in SO2 emissions that Ameren has achieved at the
4 Sioux facility.

5 If the commission adopts this plan, the
6 department intends to submit it to the U.S.
7 Environmental Protection Agency for inclusion in the
8 Missouri State Implementation Plan.

9 Chairman, Commissioners, that concludes my
10 testimony.

11 MR. ROCHA: Any commissioners have any
12 questions or comments for Valion?

13 Secretary Gilmore, is there anyone signing
14 up to speak in the room?

15 MR. GILMORE: None for the room, sir.

16 MR. ROCHA: Thank you.

17 Secretary Gilmore, is there anyone on
18 Webex indicating wishing to speak.

19 MR. GILMORE: Nothing on Webex, but I did
20 have an email yesterday that Mike Hutchinson wishes
21 to speak today during this hearing. Let me see if I
22 can locate him on here.

23 MR. HUTCHINSON: I'm here, if you can hear
24 me.

25 MR. GILMORE: Excellent. Good deal. I

RECOMMENDATION FOR ADOPTION

MISSOURI STATE IMPLEMENTATION PLAN REVISION – AMEREN SIOUX SULFUR DIOXIDE CONSENT AGREEMENT

On January 27, 2022, the Missouri Air Conservation Commission held a public hearing for the Missouri State Implementation Plan (SIP) revision titled – *Ameren Sioux Sulfur Dioxide Consent Agreement*.

The public comment period for the proposed plan opened on December 21, 2021, and closed on February 3, 2022. The summary of comments received and the air program's corresponding responses is included on the following page(s). The air program did not make any revisions to the proposed plan as a result of comments received.

The air program has not reprinted the proposed plan in the briefing document due to its volume. However, the Executive Summary is included for reference. The entire plan is available for review at the Missouri Department of Natural Resources' Air Pollution Control Program, 1659 East Elm Street, Jefferson City, Missouri, 65101, (573)751-4817. It is also available online at <https://dnr.mo.gov/document-search/missouri-state-implementation-plan-revision-ameren-sioux-sulfur-dioxide-consent-agreement-march-31-2022>.

The department recommends the commission adopt the plan as proposed. If the commission adopts this plan, the department intends to submit it to the U.S. Environmental Protection Agency for inclusion in the Missouri State Implementation Plan.

Executive Summary

The purpose of this State Implementation Plan (SIP) revision is to incorporate Consent Agreement No. APCP-2021-018 into Missouri's SIP. This Consent Agreement is between the Missouri Department of Natural Resources' Air Pollution Control Program (Air Program) and the Ameren Missouri (Ameren) – Sioux Energy Center (Sioux). The Consent Agreement establishes an enforceable mechanism for new sulfur dioxide (SO₂) emission limits at Sioux. This will allow the Air Program to rely on these new lower limits in future SIP actions and other technical demonstrations required under the Clean Air Act (CAA).

Ameren entered into this agreement voluntarily as a proactive measure to help strengthen Missouri's SIP, which helps to ensure ongoing air quality in the St. Louis region. In 2010, Ameren installed state-of-the-art SO₂ emission control technology at Sioux as part of their overall environmental strategy. Ameren's willingness to enter into this Consent Agreement as a SIP strengthening measure allows the Air Program to take credit in the SIP for the air quality improvement achieved by Ameren through their SO₂ control strategy at Sioux.

COMMENTS AND RESPONSES ON
MISSOURI STATE IMPLEMENTATION PLAN REVISION –
AMEREN SIOUX SULFUR DIOXIDE CONSENT AGREEMENT

The public comment period for the Ameren Sioux consent agreement opened on December 27, 2021 and closed on February 3, 2022. No revisions to the proposed plan were made as a result of comments.

The following is a summary of comments received and the Missouri Department of Natural Resources' Air Pollution Control Program's (air program's) corresponding responses.

SUMMARY OF COMMENTS: During the public comment period for the proposed plan, the air program received one comment from Michael Hutcheson, representing Ameren Missouri (Ameren).

COMMENT #1: Ameren commented in support of the proposed SIP revision.

RESPONSE: The air program appreciates this supportive comment. No changes to the proposed plan were made in response to this comment.