

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Matt Blunt, Governor • Doyle Childers, Director

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AUG 10 2007

Mr. Robert Brundage
Newman, Comley & Ruth
P.O. Box 537
Jefferson City, MO 65102-0537

RE: Temporary Grain Storage Permit for 2007 Harvest
Project Number: 2007-08-030
Expiration Date: May 01, 2008

Dear Mr. Brundage:

Thank you for your inquiry on behalf of the Missouri Ag Industries Council, Inc. concerning permitting requirements for proposed temporary storage structures at Missouri's existing grain elevators. We acknowledge the need to find the most expedient solution to the air pollution regulatory issues posed by the additional grain storage required by grain elevators in Missouri. According to your letter, "Missouri grain farmers expect to benefit from a bountiful corn harvest." As a result, grain would be stockpiled until temporary grain structures are permitted and constructed. Therefore, the Department of Natural Resources' Air Pollution Control Program reviewed your request and is hereby issuing a blanket temporary permit for construction of temporary grain storage structures according to Missouri State Rule 10 CSR 10-6.060(3).

The following temporary storage structures are covered under this blanket permit:

1. Outside storage consisting of a crushed lime or concrete floor with retaining walls of either constructed metal or concrete block. These structures may be either oval or round and must be covered with tarps while storing grain. The structures may be filled by portable conveyor or by spouts added from existing equipment.
2. Existing buildings. These structures may be filled with portable conveyors directly or by overhead fill conveyors that are already in the buildings.

The temporary storage structures are expected to meet the following criteria for a temporary permit:

1. Potential to emit from the storage structures is less than 100 tons of each pollutant;
2. The attainment or maintenance of ambient air quality standards is not threatened; and
3. There will be no significant impact on any Class I area.

The rule also normally requires a site specific written request prior to the start of construction. However, the Air Pollution Control Program feels this requirement would be unduly burdensome in this situation and hereby accepts your August 2, 2007 letter as meeting this requirement for all facilities intending to construct a temporary grain storage structure under this blanket permit. Also, in accordance with the rule,

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the program has determined that imposition of requirements of the construction permitting rule would be unreasonable. Although the Air Pollution Control Program would normally require submittal of a construction permit application, we are making an exception due to the immediate need for emergency storage. In addition, the Air Pollution Control Program is waiving their right to collect permitting fees in this instance to assist Missouri grain elevator operators in coping with their unanticipated volumes this harvest season.

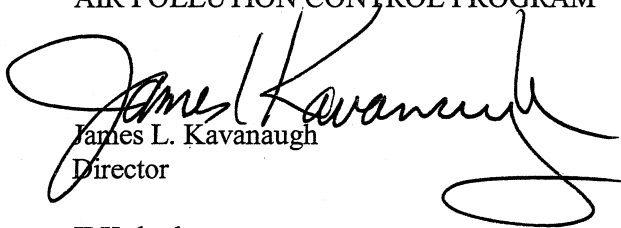
Permission to construct/operate these temporary storage structures is granted provided that operation of the storage structures shall not go beyond May 1, 2008, without prior Air Pollution Control Program approval. Should any facility wish to maintain their storage structure permanently, a complete construction permit application should be submitted no later than February 1, 2008. We suggest that any facility wishing to take advantage of this blanket temporary permit keep a copy of this letter on site.

Each facility is still obligated to meet all applicable Air Pollution Control rules, Department of Natural Resources' rules, or any other applicable federal, state, or local agency regulations. This document serves as a blanket temporary permit, pursuant to 10 CSR 10-6.060(3), for the construction of temporary grain storage structures throughout the state of Missouri at existing installations.

If you have any questions regarding this determination, please contact Kyra L. Moore at the department's Air Pollution Control Program, P.O. Box 176, Jefferson City, MO 65102 or telephone (573) 751-4817. Thank you for your time and cooperation.

Sincerely,

AIR POLLUTION CONTROL PROGRAM


James L. Kavanaugh
Director

JLK: kmk

c: Mr. Jim Macy, Field Services Division
Mr. Steve Feeler, Compliance/Enforcement Section
Mr. Jim Russell, Missouri Department of Agriculture
Ms. Katie Smith, Missouri Department of Agriculture
Mr. Chris Klenklen, Missouri Department of Agriculture
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