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**Rules of**  
**Department of Natural Resources**  
**Division 10—Air Conservation Commission**  
**Chapter 3—Air Pollution Control Rules Specific**  
**to the Outstate Missouri Area**

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**Title 10—DEPARTMENT OF  
NATURAL RESOURCES**

**Division 10—Air Conservation  
Commission**

**Chapter 3—Air Pollution Control Rules  
Specific to the Outstate Missouri Area**

**10 CSR 10-3.010 Auto Exhaust Emission  
Controls**

(Rescinded January 30, 2014)

*AUTHORITY:* section 643.050, RSMo Supp. 1992. Original rule filed April 26, 1968, effective May 6, 1968. Amended: Filed Aug. 16, 1977, effective Feb. 11, 1978. Rescinded: Filed June 3, 2013, effective Jan. 30, 2014.

*Op. Atty. Gen. No. 331, Shell (11-15-71).* The Missouri Air Conservation Commission does not have any specific authority to require the installation of emission monitoring devices, but does have the authority to require reports from sources of air pollution relating to rate, period of emission and composition of effluent, and to make such information available to the public, unless any such information is “confidential” as defined by section 203.050.4, RSMo 1969.

**10 CSR 10-3.020 Approval of Planned  
Installations**

(Rescinded April 11, 1980)

*AUTHORITY:* section 203.050, RSMo 1978. Original rule filed Sept. 8, 1970, effective Sept. 18, 1970. Amended: Filed Jan. 31, 1972, effective Feb. 10, 1972. Amended: Filed Aug. 25, 1972, effective Sept. 4, 1972. Amended: Filed Aug. 16, 1977, effective Feb. 11, 1978. Rescinded: Filed Dec. 10, 1979, effective April 11, 1980.

*Op. Atty. Gen. No. 331, Shell (11-15-71).* The Missouri Air Conservation Commission has the authority under Chapter 203, RSMo 1969, to provide for the equivalent of a construction permit system by promulgating rules to require the submission of plans and specifications for approval before any person may construct any facility which will cause air pollution, but that the commission has no such authority regarding an equivalent permit system for the operation of existing facilities which are the source of air pollution.

**10 CSR 10-3.030 Open Burning Restrictions**

(Rescinded January 30, 2008)

*AUTHORITY:* section 643.050, RSMo Supp. 1997. Original rule filed Sept. 8, 1970, effective Sept. 18, 1970. Amended: Filed Jan. 31,

1972, effective Feb. 10, 1972. Amended: Filed Aug. 16, 1977, effective Feb. 11, 1978. Amended: Filed Nov. 9, 1983, effective April 12, 1984. Amended: Filed Jan. 2, 1998, effective Aug. 30, 1998. Rescinded: Filed June 7, 2007, effective Jan. 30, 2008.

**10 CSR 10-3.040 Incinerators**

(Rescinded December 9, 1991)

*AUTHORITY:* section 203.050, RSMo 1986. Original rule filed Sept. 8, 1970, effective Sept. 18, 1970. Amended: Filed Jan. 31, 1972, effective Feb. 10, 1972. Amended: Filed Aug. 16, 1977, effective Feb. 11, 1978. Amended: Filed Dec. 15, 1982, effective May 12, 1983. Amended: Filed Oct. 13, 1983, effective March 12, 1984. Rescinded: Filed May 20, 1991, effective Dec. 9, 1991.

**10 CSR 10-3.050 Restriction of Emission  
of Particulate Matter From Industrial  
Processes**

(Rescinded March 30, 2001)

*AUTHORITY:* section 643.050, RSMo Supp. 1998. Original rule filed March 24, 1971, effective April 3, 1971. Amended: Filed Jan. 31, 1972, effective Feb. 10, 1972. Amended: Filed June 30, 1975, effective July 10, 1975. Amended: Filed Aug. 16, 1977, effective Feb. 11, 1978. Amended: Filed May 12, 1978, effective Oct. 11, 1978. Amended: Filed March 15, 1979, effective Nov. 11, 1979. Amended: Filed Oct. 11, 1983, effective March 12, 1984. Amended: Filed June 15, 1998, effective Jan. 30, 1999. Amended: Filed Feb. 16, 1999, effective Sept. 30, 1999. Emergency amendment filed March 26, 1999, effective April 5, 1999, expired Oct. 1, 1999. Rescinded: Filed Aug. 4, 2000, effective March 30, 2001.

**10 CSR 10-3.060 Maximum Allowable  
Emissions of Particulate Matter From Fuel  
Burning Equipment Used for Indirect  
Heating**

(Rescinded October 30, 2011)

*AUTHORITY:* section 643.050, RSMo 1986. Original rule filed March 24, 1971, effective April 3, 1971. Amended: Filed Jan. 31, 1972, effective Feb. 10, 1972. Amended: Filed June 30, 1975, effective July 10, 1975. Amended: Filed Aug. 16, 1977, effective Feb. 11, 1978. Amended: Filed March 15, 1979, effective Nov. 11, 1979. Amended: Filed Oct. 13, 1983, effective March 12, 1984. Amended: Filed March 14, 1984, effective Sept. 14, 1984. Amended: Filed April 1,

2002, effective Nov. 30, 2002. Rescinded: Filed Feb. 25, 2011, effective Oct. 30, 2011.

**10 CSR 10-3.070 Restriction of Particulate  
Matter From Becoming Airborne**

(Rescinded September 28, 1990)

*AUTHORITY:* section 203.050, RSMo 1986. Original rule filed July 13, 1971, effective July 23, 1971. Amended: Filed Jan. 31, 1972, effective Feb. 10, 1972. Amended: Filed June 30, 1975, effective July 10, 1975. Amended: Filed Aug. 16, 1977, effective Feb. 11, 1978. Amended: Filed May 11, 1984, effective Oct. 11, 1984. Rescinded: Filed March 5, 1990, effective Sept. 28, 1990.

**10 CSR 10-3.080 Restriction of Emission of  
Visible Air Contaminants**

(Rescinded May 30, 2000)

*AUTHORITY:* section 643.050, RSMo Supp. 1997. Original rule filed March 24, 1971, effective April 3, 1971. Amended: Filed Jan. 31, 1972, effective Feb. 10, 1972. Amended: Filed Jan. 14, 1977, effective July 11, 1977. Amended: Filed Aug. 16, 1977, effective Feb. 11, 1978. Amended: Filed March 15, 1979, effective Nov. 11, 1979. Emergency amendment filed June 15, 1995, effective June 25, 1995, expired Oct. 22, 1995. Amended: Filed Sept. 14, 1995, effective May 30, 1996. Amended: Filed June 15, 1998, effective Jan. 30, 1999. Rescinded: Filed Sept. 15, 1999, effective May 30, 2000.

**10 CSR 10-3.090 Restriction of Emission of  
Odors**

(Rescinded November 30, 2010)

*AUTHORITY:* section 643.050, RSMo 2000. Original rule filed July 13, 1971, effective July 23, 1971. Amended: Filed Jan. 31, 1972, effective Feb. 10, 1972. Amended: Filed Aug. 15, 1983, effective Jan. 13, 1984. Amended: Filed Nov. 2, 1998, effective July 30, 1999. Amended: Filed Feb. 14, 2003, effective Sept. 30, 2003. Amended: Filed Dec. 4, 2006, effective July 30, 2007. Rescinded: Filed April 14, 2010, effective Nov. 30, 2010.

**10 CSR 10-3.100 Restriction of Emission of  
Sulfur Compounds**

(Rescinded July 30, 1997)

*AUTHORITY:* section 643.050, RSMo 1986. Original rule filed March 24, 1971, effective



April 3, 1971. Amended: Filed Jan. 31, 1972, effective Feb. 10, 1972. Amended: Filed Aug. 16, 1977, effective Feb. 11, 1978. Amended: Filed Oct. 14, 1977, effective March 11, 1978. Amended: Filed Aug. 11, 1978, effective April 12, 1979. Amended: Filed July 1, 1986, effective Nov. 28, 1986. Rescinded: Filed Dec. 13, 1996, effective July 30, 1997.

#### **10 CSR 10-3.110 Rules for Controlling Emissions During Periods of High Air Pollution Potential**

(Rescinded October 11, 1984)

*AUTHORITY:* section 203.050, RSMo 1978. Original rule filed Jan. 31, 1972, effective Feb. 10, 1972. Rescinded: Filed May 11, 1984, effective Oct. 11, 1984.

*Op. Atty. Gen. No. 331, Shell (11-15-71).* The Missouri Air Conservation Commission has the authority under Chapter 203, RSMo 1969 to abate pollutant emissions on an emergency basis comparable to that available under 42 U.S.C.A. Section 1857d(k).

#### **10 CSR 10-3.120 Public Availability of Emission Data**

(Rescinded November 12, 1984)

*AUTHORITY:* section 203.050, RSMo 1978. Original rule filed Aug. 25, 1972, effective Sept. 4, 1972. Rescinded: Filed June 13, 1984, effective Nov. 12, 1984.

*Op. Atty. Gen. No. 331, Shell (11-15-71).* The Missouri Air Conservation Commission does not have any specific authority to require the installation of emission monitoring devices, but does have the authority to require reports from sources of air pollution relating to rate, period of emission and composition of effluent and to make such information available to the public, unless any such information is "confidential" as defined by section 203.050.4., RSMo 1969.

#### **10 CSR 10-3.130 Submission of Emission Information**

(Rescinded November 12, 1984)

*AUTHORITY:* section 203.050, RSMo 1978. Original rule filed Aug. 25, 1972, effective Sept. 4, 1972. Rescinded: Filed June 13, 1984, effective Nov. 12, 1984.

*Op. Atty. Gen. No. 331 Shell (11-15-71).* The Missouri Air Conservation Commission has the authority under Chapter 203, RSMo

1969 necessary to inspect, conduct tests and obtain information, including the authority to require recordkeeping, to determine compliance with emission control rules.

#### **10 CSR 10-3.140 New Source Performance Regulations**

(Rescinded April 11, 1980)

*AUTHORITY:* section 203.050, RSMo 1978. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. Rescinded: Filed Dec. 10, 1979, effective April 11, 1980.

*Op. Atty. Gen. No. 331, Shell (11-15-71).* The Missouri Air Conservation Commission has the authority under Chapter 203, RSMo 1969 to adopt emission control rules, including limitations on the content of fuels, which will attain and maintain national air quality standards, if the state standards are the same or more stringent.

#### **10 CSR 10-3.150 Restriction of Emissions of Sulfur Compounds From Indirect Heating Sources**

(Rescinded July 30, 1997)

*AUTHORITY:* section 643.050, RSMo 1986. Original rule filed Oct. 14, 1977, effective March 11, 1978. Rescinded: Filed Dec. 13, 1996, effective July 30, 1997.

#### **10 CSR 10-3.160 Restriction of Emission of Fluorides From Diammonium Phosphate Fertilizer Production**

*PURPOSE:* This rule establishes the maximum allowable rate of total fluoride emissions from any diammonium phosphate fertilizer production facility in the outstate Missouri area.

*PUBLISHER'S NOTE:* The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.

(1) Application. This rule shall apply throughout Missouri except in the City of St. Louis and St. Charles, St. Louis, Jefferson, Franklin, Clay, Cass, Buchanan, Ray, Jackson, Platte and Greene Counties.

(2) Maximum Allowable Emission of Total Fluoride From the Production of Diammonium Phosphate Fertilizer. The maximum emission of total fluoride from the production of diammonium phosphate fertilizer shall not exceed 0.030 grams per kilogram of phosphorous pentoxide input to the process (0.06 lb/ton).

(3) Time Schedules for Compliance. All sources subject to subsection (2)(A) of this rule shall be in compliance within eighteen (18) months (June 11, 1980) of the effective date of this rule December 11, 1978.

(4) Monitoring of Operations.

(A) Any facility subject to this rule shall install, calibrate, maintain and operate a monitoring device which can be used to determine the mass flow of phosphorous-bearing feed material to the diammonium phosphate process and a monitoring device which continuously measures and permanently records the total pressure drop across the process scrubbing system. These devices shall have an accuracy of plus or minus five percent ( $\pm 5\%$ ) over their operating range.

(B) Any facility subject to this rule shall maintain a daily record of equivalent phosphorous pentoxide feed to the diammonium phosphate process by determining the total mass rate in metric ton/hour of phosphorous-bearing feed using a monitoring device for measuring mass flow rate which meets the requirements of subsection (4)(A) of this rule and by following the procedure described in subsection (5)(A).

(C) The air pollution control system for the affected facility shall be constructed so that volumetric flow rates and total fluoride emissions can be accurately determined by applicable test methods and procedures.

(5) Determination of Equivalent Phosphorous Pentoxide Feed and Total Fluoride Emissions.

(A) Equivalent phosphorous pentoxide feed at the affected facility shall be determined as follows:

1. Determine the total mass rate in metric ton/hour of phosphorous-bearing feed using a flow monitoring device meeting the requirements of subsection (4)(A);

2. Calculate the equivalent phosphorous pentoxide feed by multiplying the percentage phosphorous pentoxide content, as measured by the spectrophotometric molybdovanadophosphate method (AOAC Method 9) times the total mass rate of phosphorous-bearing feed. AOAC Method 9 is published in the *Official Methods of Analysis of the Association of Official Analytical Chemists*,



11th edition, 1970, pp. 11 and 12. Other methods may be approved by the director of the Department of Natural Resources.

(B) Determination of Total Fluoride Emissions. For each run, total fluoride emissions expressed as g/metric tons of equivalent phosphorous pentoxide feed shall be determined using the following equation:

$$E = \frac{(C_s Q_s) 10^{-3}}{M_{P_2O_5}}$$

Where:

E = emissions of total fluoride in g/metric ton of equivalent phosphorous pentoxide feed;

$C_s$  = concentration of total fluorides in mg/dscm as determined by 10 CSR 10-6.030(13);

$Q_s$  = volumetric flow rate of the effluent gas stream in dscm/hour as determined by 10 CSR 10-6.030(2);

$10^{-3}$  = Conversion factor for mg to g; and

$M_{P_2O_5}$  = Equivalent phosphorous pentoxide feed in metric ton/hour as determined by paragraph.

(6) Performance Testing. Any facility subject to this regulation shall have a performance test conducted on the diammonium phosphate process at the facility according to the procedure described in 10 CSR 10-6.030(13) within twenty-one (21) months after December 11, 1978 (September 11, 1980).

*AUTHORITY: section 643.050, RSMo 1986.\* Original rule filed Feb. 27, 1978, effective Dec. 11, 1978.*

*\*Original authority: 643.050, RSMo 1965, amended 1972, 1992.*