

Air Enforcement: Missouri Department of Natural Resources and Hartville Power Generation Facility Enter into Administrative Order on Consent



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The Missouri Department of Natural Resources (“MDNR”) and Black Oak Power Producers, LLC (“Black Oak”) entered into an April 8th Administrative Order on Consent (“AOC”) addressing an alleged violation of a Part 70 (Title V) air permit and Missouri Air Regulation. See No. APCP-2023-028.

The AOC provides that Black Oak owns and operates a power generation facility (“Facility”) in Hartville, Missouri.

The Facility is stated to operate under a Part 70 permit which requires the submission of a complete permit renewal application at least six months prior to the expiration date. The Part 70 permit is stated to have expired on April 26, 2023. Therefore, the AOC provides that Black Oak was required to submit a complete permit renewal by October 26, 2022.

The complete permit renewal application is stated to have not been submitted until November 14, 2022.

The AOC provides that MDNR has determined that the failure to submit a complete renewal application of the Part 70 permit at least six months prior to the expiration date violates 10 CSR 10-6.605.

The AOC assesses a civil penalty of \$3,750. However, the penalty is reduced to \$3,000 if payment is received within 30 days of the date the AOC is sent to Black Oak.

Black Oak is also required to work with MDNR’s Air Pollution Control Program’s permitting section for the timely issuance of a new operating permit. The Facility can continue to operate under the authority of the previous Part 70 operating permit, subject to all permit conditions and requirements, until a new operating permit is issued.

A copy of the AOC can be downloaded [here](#).