



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Confidentiality

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Regulations

- 10 CSR 10-6.210 Confidential Information
- 40 CFR Part 2, Subpart B Confidentiality of Business Information

Items Historically Allowed To Be Held Confidential

- Actual usage rates for the reporting period
- Emission factors
- Maximum Hourly Design Rates (MHDRs)
- Capture Efficiency
- Control Efficiency
- Other (product name, equipment manufacturer)

Dow Chemical Petition to Object

https://www.epa.gov/sites/default/files/2020-02/documents/dow_salt_dome_response2015.pdf

Alternate Language Example

- If the Casper Line has an MHDR of 3 tph these two limits are the same:
 - The permittee shall emit less than 2.0 pound of NO_x per ton of Casper produced
 - The permittee shall emit less than 6.0 pounds of NO_x per hour from the new line
- First limit identifies product by name and the emission factor while the second limit doesn't include this confidential information

What can't be held confidential?

- Actual emission rates (tpy)
- Potential to emit (lb/hr and tpy)
- Information that is already publicly available
- Owner/Operator
- Location
- Pollutants being emitted
- Applicable emission limits/standards

Requesting Confidentiality

- A claim of confidentiality must be submitted with the confidential information to ensure that the information stays confidential.
- The claim of confidentiality shall include justification based on 10 CSR 10-6.210 that the information is entitled to confidential treatment.

Submitting Confidential Information

- When submitting confidential information, two copies should be submitted – a public copy (with the confidential information redacted) and a confidential copy. This doesn't just apply to applications. It applies to spreadsheets, letters - anything you send us.
- When submitting confidential information via e-mail include “CONFIDENTIAL” in the subject line



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Questions?

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Nothing in this document may be used to implement any enforcement action or levy any penalty unless promulgated by rule under chapter 536 or authorized by statute.