

ADEQ RENEWAL OPERATING AIR PERMIT

Pursuant to the Regulations of the Arkansas Operating Air Permit Program, Regulation No. 26:

Permit No. : 0713-AOP-R2

Renewal #1

IS ISSUED TO: Acme Brick Company – Fort Smith Plant

Fort Smith, AR 72903

Sebastian County

AFIN: 66-00081

and

IS SUBJECT TO ALL LIMITS AND CONDITIONS CONTAINED HEREIN

THIS PERMIT AUTHORIZES THE ABOVE REFERENCED PERMITTEE TO
INSTALL, OPERATE, AND MAINTAIN THE EQUIPMENT AND EMISSION
UNITS DESCRIBED IN THE PERMIT APPLICATION AND ON THE
FOLLOWING PAGES. THIS PERMIT IS VALID BETWEEN:

AND

IS SUBJECT TO ALL LIMITS AND CONDITIONS CONTAINED HEREIN.

Signed:

Keith Michaels

Date

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Table 1 - List of Acronyms

A.C.A.	Arkansas Code Annotated
CFR	Code of Federal Regulations
CO	Carbon Monoxide
HAP	Hazardous Air Pollutant
lb/hr	Pound per hour
MVAC	Motor Vehicle Air Conditioner
No.	Number
NO _x	Nitrogen Oxide
PM	Particulate matter
PM ₁₀	Particulate matter smaller than ten microns
SNAP	Significant New Alternatives Program (SNAP)
SO ₂	Sulfur dioxide
SSM	Startup, Shutdown, and Malfunction Plan
tpy	tons per year
UTM	Universal Transverse Mercator
VOC	Volatile Organic Compound

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Section I: FACILITY INFORMATION

PERMITTEE: Acme Brick Company – Fort Smith Plant

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PERMIT NUMBER: 0713-AOP-R2

FACILITY ADDRESS: 2001 Old Greenwood Road
Fort Smith, AR 72903


MAILING ADDRESS 2001 Old Greenwood Road
Fort Smith, AR 72903

COUNTY: Sebastian

CONTACT POSITION: Steve Howard – Plant Manager

TELEPHONE NUMBER: (479) 785-2404

REVIEWING ENGINEER: Karen Cerney

UTM North - South (Y):  e 15 [3913.7]

UTM East - West (X): Zone 15 [373.2]

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Section II: INTRODUCTION

Summary of Permit Activity

Acme Brick Company owns and operates a clay brick manufacturing facility located at 2001 Old Greenwood Road in Fort Smith, Arkansas. This facility manufactures hard fired clay brick for use in the construction of commercial and residential structures. This permitting action is a renewal with modification to the facility's permit. This permit changes two sources (SN-04 and SN-05) from insignificant activities (Group C Number 5) to permitted emission sources, and it lengthens the burn cycle of the kilns. The proposed change results in an increase of 10.8 tons per year (tpy) of PM/PM₁₀ emissions, 12.3 tpy of SO₂ emissions, 40.7 tpy of CO emissions, 10.9 tpy of NO_x emissions, 7.0 tpy of VOC emissions, and 5.05 tpy of HF emissions.

Process Description

Grinding

A combination of three raw materials is used to form the brick clay body. These materials are shale, clay, and grayband, all of which are mined on the Fort Smith Plant property. The material is moved by excavator, bulldozer and dump truck to the floor of the mine and under the material storage shed. Purchased clay material is hauled to the plant by trucks and is stored on the floor of the mine. The trucks travel on an unpaved haul roads.

The raw materials are placed in primary feeder with a front end loader. The material is conveyed from the feeder to the primary crusher, a Stedman Grand Slam. Once the Grand Slam grinds the material, the material is conveyed to the vibrating screens for sizing. Material that is not properly sized returns to the Grand Slam for further grinding if necessary.

A dust collector (SN-20) is utilized to remove fugitive dust from the grinding facility.

Extrusion and Manufacturing

The raw material is conveyed from the material preparation operations to a separate building where extrusion and manufacturing occur.

The raw material is extruded through a screw auger extruder through a die and cut to size. Various raw materials are used as surface coatings for example: Manganese Dioxide, Manganese Sulfate, Epsom Salt, and Fire Clay.

Once the extruded slugs are cut and sized into individual pieces, the pieces are then stacked on dryer cars.

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Drying

The dryer cars move from the extrusion to the drying process next. The dryer cars are then charged into the dryer tunnels.

The tunnel dryers are continuous counterflow heat exchangers which reduce the moisture in the wet brick to approximately 1% by weight. Waste heat from a cooling kiln is introduced at the dryer exit. Exhaust fans pull the heat toward the entrance end of the dryer as the product flows in the opposite direction. The moisture from the drying operation is exhausted from SN-04 and SN-05. The dryer uses two natural gas fired burners for its heat source, in addition to the waste heat.

Firing

Three 42 ft round periodic kilns are used for firing the brick. The kilns are fired up to temperatures of approximately 2000°F. The combustion gases are exhausted out of the kiln through a negative draft produced by the stack fans (SN-17, 18, 19). Each kiln has an individual stack fan. The kilns are fired for 48 hours depending on the product. The kilns are allowed to cool for 18-24 hours, this is the time period when waste heat from the kiln is utilized in the dryer, before the bricks are removed.

Packaging

The final process is the brick packaging. The bricks are brought into the packaging shed by forklift and are inspected, sorted, stacked, and tied with plastic bands.

Regulations



The following table contains the regulations applicable to this permit.

Table 2 - Regulations

Source No.	Regulation Citations
Facility	Regulation 18, Arkansas Air Pollution Control Code
Facility	Regulation 19, Regulations of The Arkansas Plan of Implementation for Air Pollution Control
Facility	Regulation 26, Regulations of The Arkansas Operating Air Permit Program
20	NSPS Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plant

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Source No.	Regulation Citations
Facility*	40 CFR Part 63, Subpart JJJJ – National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing

*The facility is subject to 40 CFR Part 63, Subpart JJJJ because it is a brick manufacturer that is a major source of HAPs. Periodic kilns (i.e. round or batch kilns) are not listed as a regulated source in this subpart and are excluded from the applicability requirements of this subpart. Acme Brick Company – Ft. Smith Plant does not have any equipment that this subpart covers.

The following table is a summary of emissions from the facility. The following table contains cross-references to the pages containing specific conditions and emissions for each source. This table, in itself, is not an enforceable condition of the permit.

Table 3 – Emission Summary

Emission Summary					
			Emission Rates		
Source No.	Description	Pollutant	lb/hr	tpy	Cross Ref. Page
Total Allowable Emissions		PM	41.2	33.1	N/A
		PM ₁₀	41.2	33.1	
		SO ₂	101.4	105.9	
		VOC	118.8	42.4	
		CO	242.9	123.0	
		NO _x	11.2	22.6	
HAPs		HF	15.50	19.87	
		HCL	1.63	7.12	
01	Drypan	Sources combined to form source number SN-13 (Grinding Process).			
02	Scalping Screen #1				

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Emission Summary					
			Emission Rates		
Source No.	Description	Pollutant	lb/hr	tpy	Cross Ref. Page
03	Scalping Screen #2				
04	Lower Dryer Exhaust	PM/PM ₁₀	0.8	3.7	12
		CO	3.4	14.7	
		NO _x	1.1	4.7	
		VOC	0.3	1.4	
		HF	0.10	0.44	
		HCL	0.05	0.20	
05	Upper Dryer Exhaust	PM/PM ₁₀	0.8	3.7	12
		CO	3.4	14.7	
		NO _x	1.1	4.7	
		VOC	0.3	1.4	
		HF	0.10	0.44	
		HCL	0.05	0.20	
06, 07, 08, 09, 10, & 11	Kilns Exhaust	Six old bee hive kilns removed from service in 1999 and replaced by three larger more efficient kilns.			
13	Grinding Process	Old Grinding Plant removed from service 1999.			
17, 18, & 19	Kilns Exhaust	PM/PM ₁₀	38.4	24.3	15
		SO ₂	101.4	105.9	
		CO	236.1	93.6	

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Emission Summary					
			Emission Rates		
Source No.	Description	Pollutant	lb/hr	tpy	Cross Ref. Page
		NOx	9.0	13.2	
		VOC	118.2	39.6	
		HF	15.30	18.99	
		HCL	1.53	6.72	
20	Grinding Building	PM/PM ₁₀	1.2	1.4	18

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Section III: PERMIT HISTORY

Air permit 713-A was the initial State Implementation Plan (SIP) permit issued to Acme Brick Company in Fort Smith, Arkansas. The permit was issued on May 27, 1983, for the permitting of a hard fired clay brick manufacturing facility consisting of a dry pan, two scalping screens, a dryer with two exhaust fans, a wood burner, and six kilns.

Air permit 713-AR-1 was issued to Acme Brick on December 14, 1992. The air permit was modified to incorporate the results of on-site stack test to determine actual emissions from the facility.

Arkansas operating permit #713-AOP-R0 was the first operating permit issued to Acme Brick Company under Regulation 26 on August 14, 1998. The facility modified their existing air permit by the addition of a dust collector on the grinding process, the discontinuation of using wood scrap to help heat the dryer and the removal of two sources (SN-04&05 and SN-13) by defining them as insignificant under Regulation 19 Appendix A Group C Number 5. The facility also increased their production capability by decreasing the down time on the kilns.

Arkansas operating permit #713-AOP-R1 was the first modification to Acme Brick Company's Fort Smith facility's initial operating permit. The facility modified their existing air permit by replacing the existing grinding plant with a new more updated grinding facility, the replacement of the six old bee hive kilns with three new more efficient kilns, and the addition of vehicle travel on the insignificant activities list. The installation of the three new bee hive kilns was not subject to the requirements contained in 40 CFR Part 63, Subpart B: Requirements for Control Technology (112(g)) because the installation did not meet the criteria specified in the definition of construction or re-construction.

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Section IV: SPECIFIC CONDITONS

Source No. 04 and SN-05 Description

Source SN-04 is the lower tunnel dryer exhaust, and SN-05 is the upper tunnel dryer exhaust. The tunnel dryers are continuous heat exchangers which reduce the moisture in the wet brick to approximately 1% by weight. Waste heat from a cooling kiln is introduced at the dryer exit. Exhaust fans pull the heat toward the entrance end of the dryer as the product flows in the opposite direction. The moisture from the drying operation is exhausted from SN-04 and SN-05. The dryer uses two natural gas fired burners for its heat source, in addition to the waste heat. The equipment was installed in 1999.

Specific Conditions

1. The permit allows the following maximum emission rates. The pound per hour pollutant emissions rates are based on the maximum capacity of the equipment and stack testing data. The ton per year pollutant emission rates are effectively limited by Plant Wide Condition 9. [Regulation No. 19 §19.501 *et seq.* effective February 15, 1999, and 40 CFR Part 52, Subpart E]

Table 4 – Maximum Criteria Emission Rates

Source No.	Pollutant	lb/hr	tpy
04	PM ₁₀	0.8	3.7
	VOC	0.3	1.4
	CO	3.4	14.7
	NO _x	1.1	4.7
05	PM ₁₀	0.8	3.7
	VOC	0.3	1.4
	CO	3.4	14.7
	NO _x	1.1	4.7

2. The permittee shall not exceed the emission rates set forth in the following table. The pound per hour pollutant emissions rates are based on the maximum capacity of the equipment and stack testing data. The ton per year pollutant emission rates are effectively limited by Plant

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Wide Condition 9. [Regulation No. §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Table 5 – Maximum Non-Criteria Emission Rates

Source No.	Pollutant	lb/hr	tpy
04	PM	0.8	3.7
	HF	0.10	0.44
	HCL	0.05	0.20
05	PM	0.8	3.7
	HF	0.10	0.44
	HCL	0.05	0.20

3. Visible emissions may not exceed the limits specified in the following table of this permit as measured by EPA Reference Method 9.

Table 6 – Visible Emissions

SN	Limit	Regulatory Citation
04	20%	§19.503 of Regulation 19 and 40 CFR Part 52, Subpart E
05	20%	§19.503 of Regulation 19 and 40 CFR Part 52, Subpart E

4. The permittee will conduct daily observations of the opacity from sources SN-04 and SN-05 and keep a record of these observations. The daily observations will be conducted by personnel familiar with the permittee’s visible emissions. The permittee will accept such observations for demonstration of compliance. The permittee will maintain personnel trained in EPA Reference Method 9. If visible emissions which appear to be in excess of the permitted opacity are detected, the permittee must immediately take action to identify and correct the cause of the visible emissions. After implementing the corrective action, the permittee must document the source complies with the visible emissions requirements. The permittee shall maintain records of the cause of any visible emissions and the corrective action taken. The permittee must keep the records onsite and make the records available to Department personnel upon request. The records should include the following: a.) The date

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and the time of the observation, b.) If visible emissions which appeared to be above the permitted limit were detected, c.) If visible emissions which appeared to be above the permitted limit were detected, the cause of the exceedance of the opacity limit, the corrective action taken, and if the visible emissions appeared to be below the permitted limit after the corrective action was taken, d.) The name of the person conducting the opacity observations. [Regulation No. 19 §19.705 and 40 CFR Part 52, Subpart E]

5. Natural gas will be the only fuel used to fire the dryers, SN-04 and SN-05. [Regulation No. 19 §19.705, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311 and 40 CFR 70.6]

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Source No. 17 through SN-19 Description

Source SN-17, 18, and 19 are the exhaust stacks for the three firing kilns. Each kiln is capable of housing a maximum of 315 tons of brick per batch and has a firing time of 48 hours. Each batch begins the firing process at a temperature of approximately 300°F and ends at approximately 2000°F. The heat for the kiln is supplied by natural gas fired air heaters. The burning of the natural gas serves as an additional source of emissions for these sources. Once the firing has completed, the bricks are allowed to cool at which time the waste heat from the kiln is pulled through underground duct work and utilized in the drying process. The kilns were installed in 1999.

Specific Conditions

- The permit allows the following maximum emission rates. The pound per hour pollutant emissions rates are based on the maximum capacity of the equipment and stack testing data. The ton per year pollutant emission rates are effectively limited by Plant Wide Condition 9. [Regulation No. 19 §19.501 *et seq.* effective February 15, 1999, and 40 CFR Part 52, Subpart E]

Table 7 – Maximum Criteria Emission Rates

Source	Pollutant	lb/hr	tpy
Total emissions for all three kilns	PM ₁₀	38.4	24.3
	SO ₂	101.4	105.9
	VOC	118.2	39.6
	CO	236.1	93.6
	NO _x	9.0	13.2

- The permittee shall not exceed the emission rates set forth in the following table. The pound per hour pollutant emissions rates are based on the maximum capacity of the equipment and stack testing data. The ton per year pollutant emission rates are effectively limited by Plant Wide Condition 9. [Regulation No. §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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Table 8 – Maximum Non-Criteria Emission Rates

Source	Pollutant	lb/hr	tpy
Total emissions for all three kilns	PM	38.4	24.3
	HF	15.30	18.99
	HCL	1.53	6.72

8. Visible emissions may not exceed the limits specified in the following table of this permit as measured by EPA Reference Method 9.

Table 9 – Visible Emissions

SN	Limit	Regulatory Citation
17, 18, and 19	20%	§19.503 of Regulation 19 and 40 CFR Part 52, Subpart E

9. The permittee will conduct daily observations of the opacity from sources SN-17, 18, and 19 and keep a record of these observations. The daily observations will be conducted by personnel familiar with the permittee’s visible emissions. The permittee will accept such observations for demonstration of compliance. The permittee will maintain personnel trained in EPA Reference Method 9. If visible emissions which appear to be in excess of the permitted opacity are detected, the permittee must immediately take action to identify and correct the cause of the visible emissions. After implementing the corrective action, the permittee must document the source complies with the visible emissions requirements. The permittee shall maintain records of the cause of any visible emissions and the corrective action taken. The permittee must keep the records onsite and make the records available to Department personnel upon request. The records should include the following: a.) The date and the time of the observation, b.) If visible emissions which appeared to be above the permitted limit were detected, c.) If visible emissions which appeared to be above the permitted limit were detected, the cause of the exceedance of the opacity limit, the corrective action taken, and if the visible emissions appeared to be below the permitted limit after the corrective action was taken, d.) The name of the person conducting the opacity observations. [Regulation No. 19 §19.705 and 40 CFR Part 52, Subpart E]
10. Natural gas will be the only fuel used to fire the kilns, SN-17 through SN-19. [Regulation No. 19 §19.705, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311 and 40 CFR 70.6]

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11. The permittee will measure the PM, CO, SO₂, VOC, NO_x, HF, and HCL emissions from one of the three periodic kilns in accordance with EPA Reference Methods 5, 10, 6C, 25A, 7E, 26A, 320, or 321. During the compliance test, the source will operate at maximum production level. This testing will be performed before March 1, 2004. The results of this testing will be submitted to the Department in accordance with Plant Wide Condition #3. [Regulation No. 19 §19.702, 40 CFR Part 52 Subpart E, Regulation No. 18 §18.1002, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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Source No.  20 Description

Source SN-20 is the grinding facility for the plant. The grinding facility consists of a Stedman Crusher, a Basic Machinery Hammermill, three Clayshaker Screens, and seven belt conveyors. The clay material passes through the Stedman Crusher where it is initially reduced in size. After the crusher, material passes across three screens. The material, which passes through the screens, is deposited onto the existing 350’ conveyor belt, which supplies the brick production plant, while the oversized material, which does not pass through the screens, is passed through the Hammermill for additional size reduction before being once again passed over the screens. The grinding plant is equipped with a dust collector to control particulate matter emissions. This grinding plant was installed in 1999 and is therefore subject to regulation under the New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plants.

Specific Conditions

12. The permit allows the following maximum emission rates. The pound per hour pollutant emissions rates are based on the maximum capacity of the equipment. The ton per year pollutant emission rates are effectively limited by Plant Wide Condition 9. [Regulation No. 19 §19.501 *et seq.* effective February 15, 1999, and 40 CFR Part 52, Subpart E]

Table 10 – Maximum Criteria Emission Rates

Pollutant	lb/hr	tpy
PM ₁₀	1.2	1.4

13. The permittee shall not exceed the emission rates set forth in the following table. The pound per hour pollutant emissions rates are based on the maximum capacity of the equipment. The ton per year pollutant emission rates are effectively limited by Plant Wide Condition 9. [Regulation No. §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Table 11 – Maximum Non-Criteria Emission Rates

Pollutant	lb/hr	tpy
PM	1.2	1.4

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14. The entire grinding facility (SN-20) is subject to all applicable requirements of the New Source Performance Standards (NSPS) Subpart OOO provisions as identified in the Code of Federal Regulations (CFR) Title 40, Part 60.670. A copy of this Subpart is provided in Appendix A. [Regulation No. 19 §19.304 et seq. effective February 15, 1999, and 40 CFR Part 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants]
15. The grinding facility (SN-20) will not exceed the following emission limits. Compliance shall be demonstrated by the initial compliance test (for PM) and by the weekly opacity observation requirement contained in Specific Condition 17. [Regulation 19 §19.304 and 40 CFR Part 60.672]

Table 12 – NSPS Limits

Pollutant	Emission Limit	Regulatory Citation
PM	0.05 g/dscm	40 CFR 60.672 (a) (1)
Opacity	7% (Stack Emissions)	40 CFR 60.672 (a) (2)

16. The permittee shall conduct an initial compliance test for opacity from the grinding facility dust collector (SN-20) using EPA Reference Method 9 and the procedures in 40 CFR Part 60.11. The permittee shall conduct the compliance testing and subsequent reporting in accordance with Plant Wide Conditions 3 and 4. [Regulation 19 §19.304 and 40 CFR Part 60.675 (b)]
17. The permittee will have personnel familiar with the permittee’s visible emissions conduct weekly observations of the opacity from source SN-20. The permittee shall accept such observations for demonstration of compliance. The permittee shall maintain personnel trained in EPA Reference Method 9. If visible emissions which appear to be in excess of the permitted opacity are detected, the permittee shall immediately take action to identify the cause of the visible emissions, implement corrective action, and document that visible emissions did not appear to be in excess of the permitted opacity following the corrective action. The permittee shall maintain records which contain the following items in order to demonstrate compliance with this specific condition. These records shall be updated weekly, kept on site, and made available to Department personnel upon request. The records should include the following: a.) The date and the time of the observation, b.) If visible emissions which appeared to be above the permitted limit were detected, c.) If visible emissions which appeared to be above the permitted limit were detected, the cause of the exceedance of the opacity limit, the corrective action taken, and if the visible emissions appeared to be below the permitted limit after the corrective action was taken, d.) The name of the person conducting the opacity observations. [Regulation No. 19 §19.705 and 40 CFR Part 52, Subpart E]

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Section V: COMPLIANCE PLAN AND SCHEDULE

Acme Brick Company – Fort Smith Plant is in compliance with the applicable regulations cited in the permit application. Acme Brick Company – Fort Smith Plant will continue to operate in compliance with those identified regulatory provisions. The facility will examine and analyze future regulations that may apply and determine their applicability with any necessary action taken on a timely basis.

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Section VI: Plant Wide Conditions

1. The permittee will notify the Director in writing within thirty (30) days after commencing construction, completing construction, first placing the equipment and/or facility in operation, and reaching the equipment and/or facility target production rate. [Regulation No. 19 §19.704, 40 CFR Part 52, Subpart E, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
2. If the permittee fails to start construction within eighteen months or suspends construction for eighteen months or more, the Director may cancel all or part of this permit. [Regulation No.19 §19.410(B) of and, 40 CFR Part 52, Subpart E]
3. The permittee must test any equipment scheduled for testing, unless stated in the Specific Conditions of this permit or by any federally regulated requirements, within the following time frames: (1) New Equipment or newly modified equipment within sixty (60) days of achieving the maximum production rate, but no later than 180 days after initial start-up of the permitted source or (2) operating equipment according to the time frames set forth by the Department or within 180 days of permit issuance if no date is specified. The permittee must notify the Department of the scheduled date of compliance testing at least fifteen (15) days in advance of such test. The permittee will submit the compliance test results to the Department within thirty (30) days after completing the testing. [Regulation No.19 §19.702 and/or Regulation No. 18 §18.1002 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
4. The permittee must provide: [Regulation No.19 §19.702 and/or Regulation No.18 §18.1002 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
 - a. Sampling ports adequate for applicable test methods
 - b. Safe sampling platforms
 - c. Safe access to sampling platforms
 - d. Utilities for sampling and testing equipment.
5. The permittee must operate the equipment, control apparatus and emission monitoring equipment within the design limitations. The permittee will maintain the equipment in good condition at all times. [Regulation No.19 §19.303 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
6. This permit subsumes and incorporates all previously issued air permits for this facility. [Regulation No. 26 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
7. The permittee will not cause or permit the emissions of air contaminants, including odors or water vapor and including an air contaminant whose emission is not otherwise prohibited by Regulation #18, if the emission of the air contaminant constitutes air pollution within the meaning of A.C.A. §8-4-303. [Regulation 18 §18.801 , and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-31]

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8. The permittee will not conduct operations in such a manner as to unnecessarily cause air contaminants and other pollutants to become airborne. [Regulation 18 §18.801 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
9. The maximum allowable production at the facility is 71,891 tons of fired clay brick at the facility during any consecutive 12-month period. [Regulation 19 §19.705 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
10. The permittee will maintain monthly records to demonstrate compliance with the limit set in Plant Wide Condition No.9 and may be used by the Department for enforcement purposes. Compliance will be determined on a monthly basis by totaling the clay brick production for the previous 12 months. Each 12 month total shall be available for inspection by the fifteenth day of the month after the reported 12 months. The permittee will keep the records onsite, and make the records available to Department personnel upon request. The monthly reports shall also be submitted to the Department per General Provision 7 by the last day of the month after the reported six months. [Regulation No. 19 §19.705 and 40 CFR Part 52 Subpart E]

Title VI Provisions

11. The permittee must comply with the standards for labeling of products using ozone-depleting substances. [40 CFR Part 82, Subpart E]
 - a. All containers containing a class I or class II substance stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced to interstate commerce pursuant to §82.106.
 - b. The placement of the required warning statement must comply with the requirements pursuant to §82.108.
 - c. The form of the label bearing the required warning must comply with the requirements pursuant to §82.110.
 - d. No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
12. The permittee must comply with the standards for recycling and emissions reduction, except as provided for MVACs in Subpart B. [40 CFR Part 82, Subpart F]
 - a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
 - c. Persons performing maintenance, service repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. (“MVAC-like appliance” as defined at §82.152.)

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- e. Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to §82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
13. If the permittee manufactures, transforms, destroys, imports, or exports a class I or class II substance, the permittee is subject to all requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
14. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.
- The term “motor vehicle” as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term “MVAC” as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant.
15. The permittee can switch from any ozone-depleting substance to any alternative listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

Permit Shield

16. Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements, as of the date of permit issuance, included in and specifically identified in Table 13 - Applicable Regulations of this condition. The permit specifically identifies the following as applicable requirements based upon the information submitted by the permittee in an application dated February 13, 2003.

Table 13 - Applicable Regulations

Source No.	Regulation	Description
Facility	Arkansas Regulation 19	Compilation of Regulations of the Arkansas State Implementation Plan for Air Pollution Control
Facility	Arkansas Regulation 26	Regulations of the Arkansas Operating Air Permit Program

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Source No.	Regulation	Description
SN-20	40 CFR Part 60 Subpart OOO	Standards of Performance for Nonmetallic Mineral Processing Plants
Facility	40 CFR Part 63 Subpart JJJJ	National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing

The permit specifically identifies the following as inapplicable based upon information submitted by the permittee in an application dated February 13, 2003.

Table 14 - Inapplicable Regulations

Source No.	Regulation	Description
Facility	40 CFR Part 60, Subpart Kb	Standards of Performance for Storage Vessels for Volatile Organic Liquids – All storage tanks on site do not have capacities greater than 40 cubic meters.
SN-17 through SN- 19	40 CFR Part 63, Subpart B (112(g))	National Emission Standards for Hazardous Air Pollutants – The installation of the three new bee hive kilns is not subject to the requirements in this subpart because the installation does not meet the criteria specified in the definition of construction or re-construction.

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Section VII: Insignificant Activities

The following sources are insignificant activities. Any activity that has a state or federal applicable requirement is a significant activity even if this activity meets the criteria of §304 of Regulation 26 or listed in the table below. Insignificant activity determinations rely upon the information submitted by the permittee in an application dated February 13, 2003.

Table 15 - Insignificant Activities

Description	Category
IA-1, 550 Gallon Gasoline Tank	A-13
IA-2, Bat Loss Drops	A-13
IA-3, Large Surge Bin	A-13
IA-4, Small Surge Bin	A-13
IA-5, Plate Feeders	A-13
IA-6, Pugmill	A-13
IA-7, Brick / Refractory Saw	A-13
IA-8, Brick Packaging/Dehacking	A-13
IA-9, Brick Setting & Drawing	A-13
IA-10, Additive Application Points	A-13
IA-11, Slurry Mixers	A-13
IA-12, Additive Storage	A-13
IA-13, Brick Reprocessing	A-13
IA-14, Clay Storage	A-13
IA-15, Conveyor Drop Points and Material Storage	A-13
IA-16, Brick Holding / Surge Area	A-13
IA-17, Screw Auger	A-13

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Description	Category
IA-18, Road Fugitives	A-13
Diesel Tank, 550 Gallons, <0.01 psi vapor pressure at STP	A-3
Diesel Tank, 550 Gallons, <0.01 psi vapor pressure at STP	A-3
Additive A Tank (non-hydrocarbon), 10,000 gallons, <0.01 psi vapor pressure at STP	A-3
Die Lube Reservoir, 300 gallons, <0.01 psi vapor pressure at STP	A-3
Die Lube Reservoir, 35 Gallons, <0.01 psi vapor pressure at STP	A-3
Vacuum Pump Oil Reservoir, 55 gallons, <0.01 psi vapor pressure at STP	A-3
Hydraulic Reservoir, 150 gallons, <0.01 psi vapor pressure at STP	A-3
Motor / Engine Oil, 150 gallons, <0.01 psi vapor pressure at STP	A-3
Motor / Engine Oil, 150 gallons, <0.01 psi vapor pressure at STP	A-3
Antifreeze Tank, 55 gallons, <0.01 psi vapor pressure at STP	A-3
Waste Oil, 300 gallons, <0.01 psi vapor pressure at STP	A-3
Waste Antifreeze, 55 gallons, <0.01 psi vapor pressure at STP	A-3
Parts Cleaner Reservoir, 30 gallons, <0.5 psi vapor pressure at STP	A-2

Pursuant to §26.304 of Regulation 26, the Department determined the emission units, operations, or activities contained in Regulation 19, Appendix A, Group B, to be insignificant activities. Activities included in this list are allowable under this permit and need not be specifically identified.

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Section VIII: GENERAL PROVISIONS

1. Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation No. 18 or the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 *et seq.*) as the sole origin of and authority for the terms or conditions are not required under the Clean Air Act or any of its applicable requirements, and are not federally enforceable under the Clean Air Act. Arkansas Pollution Control & Ecology Commission Regulation 18 was adopted pursuant to the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 *et seq.*). Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 *et seq.*) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute.[40 CFR 70.6(b)(2)]
2. This permit shall be valid for a period of five (5) years beginning on the date this permit becomes effective and ending five (5) years later. [40 CFR 70.6(a)(2) and §26.701(B) of the Regulations of the Arkansas Operating Air Permit Program (Regulation 26), effective August 10, 2000]
3. The permittee must submit a complete application for permit renewal at least six (6) months before permit expiration. Permit expiration terminates the permittee's right to operate unless the permittee submitted a complete renewal application at least six (6) months before permit expiration. If the permittee submits a complete application, the existing permit will remain in effect until the Department takes final action on the renewal application. The Department will not necessarily notify the permittee when the permit renewal application is due. [Regulation No. 26 §26.406]
4. Where an applicable requirement of the Clean Air Act, as amended, 42 U.S.C. 7401, *et seq.* (Act) is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, the permit incorporates both provisions into the permit, and the Director or the Administrator can enforce both provisions. [40 CFR 70.6(a)(1)(ii) and Regulation No. 26 §26.701(A)(2)]
5. The permittee must maintain the following records of monitoring information as required by this permit. [40 CFR 70.6(a)(3)(ii)(A) and Regulation No. 26 §26.701(C)(2)]
 - a. The date, place as defined in this permit, and time of sampling or measurements;
 - b. The date(s) analyses performed;
 - c. The company or entity performing the analyses;
 - d. The analytical techniques or methods used;
 - e. The results of such analyses; and
 - f. The operating conditions existing at the time of sampling or measurement.
6. The permittee must retain the records of all required monitoring data and support information for at least 5 years from the date of the monitoring sample, measurement, report, or

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application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [40 CFR 70.6(a)(3)(ii)(B) and Regulation No. 26 §26.701(C)(2)(b)]

7. The permittee must submit reports of all required monitoring every 6 months. If permit establishes no other reporting period has been established, the reporting period shall end on the last day of the anniversary month of the initial Title V permit. The report is due within 30 days of the end of the reporting period. Although the reports are due every six months, each report shall contain a full year of data. The report must clearly identify all instances of deviations from permit requirements. A responsible official as defined in Regulation No. 26 §26.2 must certify all required reports. The permittee will send the reports to the address below: [40 CFR 70.6(a)(3)(ii)(B) and Regulation No. 26 §26.701(C)(2)(b)]

Arkansas Department of Environmental Quality
Air Division
ATTN: Compliance Inspector Supervisor
Post Office Box 8913
Little Rock, AR 72219

8. The permittee will report to the Department all deviations from permit requirements, including those attributable to upset conditions as defined in the permit. The permittee will make an initial report to the Department by the next business day after the discovery of the occurrence. The initial report may be made by telephone and shall include:
 - a. The facility name and location
 - b. The process unit or emission source deviating from the permit limit,
 - c. The permit limit, including the identification of pollutants, from which deviation occurs,
 - d. The date and time the deviation started,
 - e. The duration of the deviation,
 - f. The average emissions during the deviation,
 - g. The probable cause of such deviations,
 - h. Any corrective actions or preventive measures taken or being taken to prevent such deviations in the future, and
 - i. The name of the person submitting the report.

The permittee will make a full report in writing to the Department within five (5) business days of discovery of the occurrence. The report must include, in addition to the information required by the initial report, a schedule of actions taken or planned to eliminate future occurrences and/or to minimize the amount the permit's limits were exceeded and to reduce the length of time the limits were exceeded. The permittee may submit a full report in writing (by facsimile, overnight courier, or other means) by the next business day after discovery of the occurrence, and the report will serve as both the initial report and full report. [40 CFR 70.6(a)(3)(iii)(B), Regulation No. 26 §26.701(C)(3)(b), Regulation No. 19 §19.601 and §19.602]

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9. If any provision of the permit or the application thereof to any person or circumstance is held invalid, such invalidity will not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end, provisions of this Regulation are declared to be separable and severable. [40 CFR 70.6(a)(5) and §26.701(E) of Regulation No. 26, and A.C.A. §8-4-203, as referenced by §8-4-304 and §8-4-311]
10. The permittee must comply with all conditions of this Part 70 permit. Any permit noncompliance with applicable requirements as defined in Regulation No. 26 constitutes a violation of the Clean Air Act, as amended, 42 U.S.C. §7401, *et seq.* and is grounds for enforcement action; for permit termination, revocation and reissuance, for permit modification; or for denial of a permit renewal application. [40 CFR 70.6(a)(6)(i) and Regulation No. 26 §26.701(F)(1)]
11. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit. [40 CFR 70.6(a)(6)(ii) and Regulation No. 26 §26.701(F)(2)]
12. The Department may modify, revoke, reopen and reissue the permit or terminate the permit for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [40 CFR 70.6(a)(6)(iii) and Regulation No. 26 §26.701(F)(3)]
13. This permit does not convey any property rights of any sort, or any exclusive privilege. [40 CFR 70.6(a)(6)(iv) and Regulation No. 26 §26.701(F)(4)]
14. The permittee must furnish to the Director, within the time specified by the Director, any information that the Director may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee must also furnish to the Director copies of records required by the permit. For information the permittee claims confidentiality, the Department may require the permittee to furnish such records directly to the Director along with a claim of confidentiality. [40 CFR 70.6(a)(6)(v) and Regulation No. 26 §26.701(F)(5)]
15. The permittee must pay all permit fees in accordance with the procedures established in Regulation No. 19. [40 CFR 70.6(a)(7) and Regulation No. 26 §26.701(G)]
16. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes provided for elsewhere in this permit. [40 CFR 70.6(a)(8) and Regulation No. 26 §26.701(H)]
17. If the permit allows different operating scenarios, the permittee will, contemporaneously with making a change from one operating scenario to another, record in a log at the permitted facility a record of the operational scenario. [40 CFR 70.6(a)(9)(i) and Regulation No. 26 §26.701(I)(1)]

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18. The Administrator and citizens may enforce under the Act all terms and conditions in this permit, including any provisions designed to limit a source's potential to emit, unless the Department specifically designates terms and conditions of the permit as being federally unenforceable under the Act or under any of its applicable requirements. [40 CFR 70.6(b) and Regulation No. 26 §26.702(A) and (B)]
19. Any document (including reports) required by this permit must contain a certification by a responsible official as defined in Regulation No. 26 §26.2. [40 CFR 70.6(c)(1) and Regulation No. 26 §26.703(A)]
20. The permittee must allow an authorized representative of the Department, upon presentation of credentials, to perform the following: [40 CFR 70.6(c)(2) and Regulation No. 26 §26.703(B)]
 - a. Enter upon the permittee's premises where the permitted source is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
 - b. Have access to and copy, at reasonable times, any records required under the conditions of this permit;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - d. As authorized by the Act, sample or monitor at reasonable times substances or parameters for assuring compliance with this permit or applicable requirements.
21. The permittee will submit a compliance certification with the terms and conditions contained in the permit, including emission limitations, standards, or work practices. The permittee must submit the compliance certification annually within 30 days following the last day of the anniversary month of the initial Title V permit. The permittee must also submit the compliance certification to the Administrator as well as to the Department. All compliance certifications required by this permit must include the following: [40 CFR 70.6(c)(5) and Regulation No. 26 §26.703(E)(3)]
 - a. The identification of each term or condition of the permit that is the basis of the certification;
 - b. The compliance status;
 - c. Whether compliance was continuous or intermittent;
 - d. The method(s) used for determining the compliance status of the source, currently and over the reporting period established by the monitoring requirements of this permit; and
 - e. Such other facts as the Department may require elsewhere in this permit or by §114(a)(3) and §504(b) of the Act.
22. Nothing in this permit will alter or affect the following: [Regulation No. 26 §26.704(C)]
 - a. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section;
 - b. The liability of the permittee for any violation of applicable requirements prior to or at

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- the time of permit issuance;
 - c. The applicable requirements of the acid rain program, consistent with §408(a) of the Act or,
 - d. The ability of EPA to obtain information from a source pursuant to §114 of the Act.
23. This permit authorizes only those pollutant-emitting activities addressed in this permit.
[A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]