

GENERAL CONDITIONS

1. The equipment described in the plans and specifications, which are a part of Ginner's permit application and this agreement, will be installed in such a manner so as to allow safe and representative monitoring of the performance of the heat recovery unit and incinerator in a manner and at such intervals as Department may reasonably require.

2. Ginner agrees to cooperate fully in conducting said monitoring and to pay the reasonable expense thereof, as requested by Department, it being acknowledged by Ginner that the acquisition of data on emissions and operational efficiency of the equipment in controlling emission and recovering heat is the primary consideration for the grant to Ginner.

3. Ginner will cooperate with Department in order to make fully available for public inspection:

- (a) All plans and specifications for the equipment;
- (b) Cost data for construction, installation and operation of the equipment;
- (c) All operational and emission data obtained during the two complete ginning seasons following installation of the equipment;
- (d) Any other information reasonably requested by the Department, including but not limited to information which would permit comparison of operational cost, especially fuel consumption, of the facility for two complete ginning seasons after installation of the equipment and operational costs prior to installation of the equipment.

COMMISSIONERS

*[Handwritten signatures and initials over a list of lines]*

Billy F...  
Chairman

Submitted by J. E. Southall Date Passed 5/30/75

FINDINGS: State funds have been made available to the Department for air pollution research and development in pursuit of effective waste disposal and heat recovery from cotton gins. Said research and development may be accomplished only by using operating gins, and a great deal of flexibility is required in negotiating, executing and effectuating contracts with ginners for such projects, partially funded by the Department.

ORDER: Therefore, the Director is hereby authorized, with the approval of the Chairman, to negotiate and enter into up to three such contracts without further Commission action, subject to the following conditions:

(1) The ginner has submitted an approvable permit application for the equipment in question, and the staff has, in fact, recommended approval.

(2) The grant contemplated by each contract does not exceed \$16,000.

(3) The grant contemplated by each contract does not exceed 20% of the cost of the project, as indicated in the permit application.

(4) If more than one grant is made, the Director and staff will endeavor, to the extent feasible, to initiate different design concepts for each project.

(5) Each such contract will comply with all applicable state regulations and the terms of Acts 110 and 111 of 1975.

(6) Each such contract incorporates therein the following General Conditions, substantially as set forth herein:

COMMISSIONERS  
[Signature]  
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[Signature]

[Signature]  
Chairman

Submitted by J. E. Southall Date Passed 5/30/75

4. Ginner warrants and represents that it will endeavor in good faith to achieve maximum efficiency of the equipment in complying with the Arkansas Air Pollution Control Code, assuming all costs attendant thereto. In the event the Department, after a hearing thereon with notice to Ginner, reasonably determines that Ginner has breached this provision within five years of the date of this agreement, it may demand refund, in whole or in part, of the grant funds. However, Ginner may apply to the Commission for a variance from the requirement of absolute maximum efficiency in achieving compliance, which, on a showing of good cause, may be granted by Commission.

DEPARTMENT OF POLLUTION  
CONTROL AND ECOLOGY,  
STATE OF ARKANSAS

BY \_\_\_\_\_  
Director

APPROVED: \_\_\_\_\_  
Chairman

\_\_\_\_\_, GINNER

BY \_\_\_\_\_  
Title

COMMISSIONERS

*[Handwritten signatures and initials over a list of lines]*

*RGE by S/L*

*[Handwritten signature]*  
Chairman

Submitted by J. E. Southall Date Passed 5/30/75