ADEQ
OPERATING
AIR PERMIT

Pursuant to the Regulations of the Arkansas Operating Air Permit Program, Regulation 26:

Permit No. : 276-AOP-R2
Renewal #1
IS ISSUED TO:
Flint Creek Power Plant
21797 SWEPCO Plant Road
Gentry, AR 72734
Benton County
AFIN: 04-00107

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

THE PERMITTEE IS SUBJECT TO ALL LIMITS AND CONDITIONS CONTAINED HEREIN.

Signed:

_____ _____

Mike Porta
Interim Chief, Air Division

Date

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List of Acronyms and Abbreviations

A.C.A.	Arkansas Code Annotated
AFIN	ADEQ Facility Identification Number
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

SECTION I: FACILITY INFORMATION

PERMITTEE:	Flint Creek Power Plant
AFIN:	04-00107
PERMIT NUMBER:	276-AOP-R2
FACILITY ADDRESS:	21797 SWEPCO Plant Road Gentry, AR 72734
MAILING ADDRESS	1201 Elm Street, Suite 800 Dallas, TX 75270
COUNTY:	Benton
CONTACT POSITION:	Dan V. Lee, Plant General Manager
TELEPHONE NUMBER:	(501) 736-3511
REVIEWING ENGINEER:	Ann Sudmeyer
UTM North South (Y):	Zone 15: 4013.543
UTM East West (X):	Zone 15: 363.774

SECTION II: INTRODUCTION

AEP-Southwestern Electric Power Company (SWEPCO) and the Arkansas Electric Cooperative Corporation (AECC) jointly own the Flint Creek Power Plant, with AEP-SWEPCO being the plant operator. This facility is located at 21797 SWEPCO Plant Road, Gentry, Arkansas. The Flint Creek Power Plant produces power using a 558 MW boiler (SN-01). The boiler may operate under two scenarios: coal firing or coal and tire derived fuel firing.

Summary of Permit Activity

In addition to renewing the facility's Title V air permit, this permitting action is necessary to:

1. Permit emissions of hazardous air pollutants (HAPs);
2. Update the permitted hourly emission rates for SN-14, SN-15, and SN-18 based on Tanks 4.0 emission estimation software;
3. Increase the permitted annual throughput of SN-18 to 6,662,560 gallons per year;
4. Increase the permitted annual coal usage rate to 3,237,560 tons per year;
5. Increase the permitted hourly throughput of SN-03 and SN-06 to the maximum capacity of the equipment;
6. Update the requirements for SN-14 in accordance with the changes to 40 CFR Part 60, Subpart Kb (removed Subpart Kb requirements for SN-14 since this tank is less than the new applicability threshold of $75m^3$).
7. Add a new stack testing requirement for PM to demonstrate compliance with Compliance Assurance Monitoring requirements;
8. Add new stack testing requirements for PM, PM_{10}, and CO; and
9. Add new Arsenic and Lead stack testing requirements for Scenario 2.

This permitting action will result in permitted emission increases of 190.0 tons per year (tpy) PM; 161.7 tpy PM_{10}; 1,837.4 tpy SO_2; 6.6 tpy VOC; 203.1 tpy CO; 1,071.8 tpy NO_X; and all hazardous air pollutant and air contaminant emission rates for this facility are increasing due to these pollutants previously not being permitted. This action does not require PSD review because there is no modification to the equipment and the previous coal throughput limits were not PSD limits.

Process Description

The boiler burns primarily low sulfur western coal. The coal is supplied via railcar and dumped into a hopper. The coal from the hopper dumps onto an enclosed conveyor and is transported to the coal transfer house. At the coal transfer house the coal is transferred by conveyor to either the coal pile or the coal tripper house. Coal from the tripper house goes to the coal bunker, is pulverized and injected into the boiler for combustion. Coal may be reclaimed from the coal pile using hoppers located underneath the coal pile and conveying the coal back to the coal transfer house.

Fly ash resulting from the coal combustion process is collected by two hot side electrostatic precipitators. The collected fly ash is pneumatically conveyed to a fly ash silo and is shipped offsite for reuse or to the fly ash landfill.

Additional emission points include one fuel oil storage tank (SN-18), two used oil storage tanks, a gasoline tank (SN-15) for fueling vehicles, a distillate tank (SN-14) for fueling vehicles and off-road equipment, and three small degreasing units. The permittee also maintains an emergency generator diesel engine and an emergency fire pump diesel engine.

There is a proposed flyash railcar loading facility which will not be owned by Flint Creek, but which will be located on this facility's property. This activity is not incorporated into this air permit. It is addressed separately by the Department.

Regulations

The following table contains the regulations applicable to this permit.

Regulations
Arkansas Air Pollution Control Code, Regulation 18, effective February 15, 1999
Regulations of the Arkansas Plan of Implementation for Air Pollution Control, Regulation 19, effective December 19, 2004
Regulations of the Arkansas Operating Air Permit Program, Regulation 26, effective September 26, 2002
40 CFR Part 60, Subpart D – Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971
40 CFR Part 64 – Compliance Assurance Monitoring
40 CFR Parts 72, 73, 75, 76, 77 – Acid Rain Program
40 CFR Part 82 – Protection of Stratospheric Ozone

The following table is a summary of emissions from the facility. This table, in itself, is not an enforceable condition of the permit.

The source for the stated maximum hourly and maximum annual emissions was provided by the permittee in the form of emission rate tables and emission calculations included as part of Flint Creek's Air Quality Operating Permit Renewal Application as hand-delivered to the ADEQ on October 8, 2003, and / or as subsequently revised in correspondence submitted to the ADEQ in 2004 and 2005.

Emission Summary

EMISSION SUMMARY				
Source Number	Description	Pollutant	Emission Rates	
			lb/hr	tpy
Total Allowable Emissions		PM	675.5	2,536.6
		PM_{10}	651.0	2,505.6
		SO_2	7,588.8	29,915.0
		VOC	44.2	98.6
		CO	822.3	3,241.8
		NO_X	4,426.8	17,450.4
		Lead*	0.07	0.25
HAPs		Acetaldehyde*	0.24	0.93
		Acetophenone*	0.01	0.03
		Acrolein*	0.12	0.48
		Antimony*	0.01	0.03
		Arsenic*	0.17	0.67
		Benzene*	0.54	2.11
		Benzyl Chloride*	0.29	1.14
		Beryllium*	0.01	0.04
		Bis(2-ethylhexyl)phthalate (DEHP)*	0.04	0.12
		Bromoform*	0.02	0.07
		Cadmium*	0.03	0.09
		Carbon Disulfide*	0.06	0.22
		2-Chloroacetophenone*	0.01	0.02
		Chlorobenzene*	0.01	0.04
		Chloroform*	0.03	0.10
		Chromium*	0.11	0.43
		Chromium VI*	0.04	0.13
		Cobalt*	0.05	0.17

EMISSION SUMMARY				
Source Number	Description	Pollutant	Emission Rates	
			lb/hr	tpy
		Cumene*	0.01	0.01
		Cyanide*	1.03	4.06
		2,4-Dinitrotoluene*	0.01	0.01
		Dimethyl Sulfate*	0.02	0.08
		Ethyl Benzene*	0.04	0.16
		Ethyl Chloride*	0.02	0.07
		Ethylene Dichloride*	0.02	0.07
		Ethylene Dibromide*	0.01	0.01
		Formaldehyde*	0.71	2.80
		Hexane*	0.03	0.11
		Hydrogen Chloride	5.11	20.13
		Hydrogen Fluoride	18.27	72.03
		Isophorone*	0.24	0.95
		Manganese*	0.21	0.80
		Mercury*	0.04	0.14
		Methyl Bromide*	0.07	0.26
		Methyl Chloride*	0.22	0.86
		Methyl Ethyl Ketone*	0.17	0.64
		Methyl Hydrazine*	0.07	0.28
		Methyl Methacrylate*	0.01	0.04
		Methyl Tert Butyl Ether*	0.02	0.06
		Methylene Chloride*	0.12	0.48
		Nickel*	0.12	0.46
		Phenol*	0.16	0.62
		Polycyclic Organic Matter*	0.02	0.06
		Polynuclear Aromatic Hydrocarbons*	0.02	0.06
		Propionaldehyde*	0.16	0.62
		Selenium*	0.54	2.11
		Styrene*	0.02	0.05
		Tetrachloroethylene*	0.02	0.07
		Toluene*	0.10	0.39
		1,1,1-Trichloroethane*	0.01	0.04
		Vinyl Acetate*	0.01	0.02
		Xylenes*	0.02	0.06
Air Contaminants		Sulfuric Acid**	5.82	25.48
SN-01	Boiler	PM	632.4	2,492.9
		PM_{10}	632.4	2,492.9
		SO_2	7,588.8	29,915.0
		VOC	24.7	97.3

EMISSION SUMMARY				
Source Number	Description	Pollutant	Emission Rates	
			lb/hr	tpy
		CO	822.3	3,241.8
		NO_x	4,426.8	17,450.4
		Lead*	0.07	0.25
		Acetaldehyde*	0.24	0.93
		Acetophenone*	0.01	0.03
		Acrolein*	0.12	0.48
		Antimony*	0.01	0.03
		Arsenic*	0.17	0.67
		Benzene*	0.54	2.11
		Benzyl Chloride*	0.29	1.14
		Beryllium*	0.01	0.04
		Bis(2-ethylhexyl)phthalate (DEHP)*	0.04	0.12
		Bromoform*	0.02	0.07
		Cadmium*	0.03	0.09
		Carbon Disulfide*	0.06	0.22
		2-Chloroacetophenone*	0.01	0.02
		Chlorobenzene*	0.01	0.04
		Chloroform*	0.03	0.10
		Chromium*	0.11	0.43
		Chromium VI*	0.04	0.13
		Cobalt*	0.05	0.17
		Cumene*	0.01	0.01
		Cyanide*	1.03	4.06
		2,4-Dinitrotoluene*	0.01	0.01
		Dimethyl Sulfate*	0.02	0.08
		Ethyl Benzene*	0.04	0.16
		Ethyl Chloride*	0.02	0.07
		Ethylene Dichloride*	0.02	0.07
		Ethylene Dibromide*	0.01	0.01
		Formaldehyde*	0.71	2.80
		Hexane*	0.03	0.11
		Hydrogen Chloride	5.11	20.13
		Hydrogen Fluoride	18.27	72.03
		Isophorone*	0.24	0.95
		Manganese*	0.21	0.80
		Mercury*	0.04	0.14
		Methyl Bromide*	0.07	0.26
		Methyl Chloride*	0.22	0.86
		Methyl Ethyl Ketone*	0.17	0.64
		Methyl Hydrazine*	0.07	0.28

EMISSION SUMMARY				
Source Number	Description	Pollutant	Emission Rates	
			lb/hr	tpy
		Methyl Methacrylate*	0.01	0.04
		Methyl Tert Butyl Ether*	0.02	0.06
		Methylene Chloride*	0.12	0.48
		Nickel*	0.12	0.46
		Phenol*	0.16	0.62
		Polycyclic Organic Matter*	0.02	0.06
		Polynuclear Aromatic Hydrocarbons*	0.02	0.06
		Propionaldehyde*	0.16	0.62
		Selenium*	0.54	2.11
		Styrene*	0.02	0.05
		Tetrachloroethylene*	0.02	0.07
		Toluene*	0.10	0.39
		1,1,1-Trichloroethane*	0.01	0.04
		Vinyl Acetate*	0.01	0.02
		Xylenes*	0.02	0.06
		Sulfuric Acid**	5.82	25.48
SN-02	Fly Ash Silo	PM PM_{10}	0.1 0.1	0.1 0.1
SN-03	Coal Car Dumper	PM PM_{10}	0.3 0.1	0.2 0.1
SN-04	Coal Bunker	PM PM_{10}	0.1 0.1	0.1 0.1
SN-05	Coal Bunker Conveyor	PM PM_{10}	0.1 0.1	0.3 0.2
SN-06	Coal Transfer House	PM PM_{10}	0.3 0.1	0.2 0.1
SN-07	Coal Storage Pile	PM PM_{10}	39.1 16.9	40.4 11.6
SN-08	Ash Landfill	PM PM_{10}	3.1 1.2	2.4 0.5
SN-14	Diesel Storage Tank	VOC	0.5	0.1
SN-15	Gasoline Storage Tank	VOC	18.3	0.9

EMISSION SUMMARY				
Source Number	Description	Pollutant	Emission Rates	
			lb/hr	tpy
SN-18	Fuel Oil Storage Tank	VOC	0.7	0.3

* HAPs included in the PM or VOC totals.

** Air Contaminants such as ammonia, acetone, and certain halogenated solvents are not VOCs or HAPs

SECTION III: PERMIT HISTORY

The Flint Creek Power Plant was originally permitted in 1975 under permit 276-A. The original permit did not specify hourly or annual emission rates. Permit 276-A is the only permit issued to the permittee prior to the issuance of the initial operating permit.

276-AOP-R0 was issued on April 8, 1999. This was the initial Title V permit. The permit included the option to burn tire derived fuel as a supplemental fuel for the boiler.

276-AOP-R1 was issued on June 2, 2000. This minor modification was necessary to correct typographical errors and remove Operating Scenario 3 (coal and fuel oil co-firing) and Operating Scenario 4 (fuel oil only firing). The operating scenarios are used during startup and shutdown and not for the production of electricity. On September 17, 2001, this permit was administratively amended for typographical errors. On Page 19, Specific Condition 34, daily records were required for opacity readings for SN-03. The previous revision 276-AOP-R0 required weekly records. There were no records, notes, or correspondence found indicating the reason for changing record keeping frequency from weekly (276-AOP-R0) to daily (276-AOP-R1). Thus, the requirement was changed back to weekly records on September 17, 2001 by an Administrative Amendment to 276-AOP-R1.

SECTION IV: SPECIFIC CONDITIONS

SN-01
Boiler

Source Description

The Flint Creek Power Plant produces power using a boiler (SN-01) to produce sufficient steam to operate the turbine generator at the 558 megawatt gross electrical output capability of the unit. The boiler burns primarily low sulfur western coal, but can also combust fuel oil and tire derived fuels. Fuel oil firing is only allowed during unit startup and shutdown, startup and shutdown of pulverizer mills, for flame stabilization when coal is frozen, No. 2 fuel oil tank maintenance, to prevent boiler tube failure in extreme cold weather when the unit is offline for maintenance, and malfunction (as specified in Specific Condition #15). Fly ash resulting from the coal combustion process is collected by two hot side electrostatic precipitators. The boiler has two (2) operating scenarios:

Scenario 1: coal firing;
Scenario 2: coal and tire derived fuel (TDF) co-firing;

EPA Region VI has determined that performance testing for PM in accordance with 40 CFR 60.46 is not required for the coal and fuel oil co-firing scenario, due to the fact that this scenario is not considered "representative" based on the information contained in the permittee's letter dated August 22, 1995. A waiver in accordance with 40 CFR 60.8(b)(4) from the PM testing requirement is not required pursuant to 40 CFR 60.8(c).

Specific Conditions

SCENARIO 1: COAL FIRING SPECIFIC CONDITIONS

1. The permittee shall not exceed the emission rates set forth in the following table for SN-01, when operating under Scenario 1: Coal Firing. [Regulation 19, §19.501 et seq., effective December 19, 2004 and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr
PM_{10}	632.4
SO_2	7,588.8
VOC	24.6
CO	821.3
NO_x	4,426.8

Pollutant	lb/hr
Lead	0.07

2. The permittee shall not exceed the emission rates set forth in the following table for SN-01, when operating under Scenario 1: Coal Firing. [Regulation 18, §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

Pollutant	lb/hr
PM	632.4
Acetaldehyde	0.24
Acetophenone	0.01
Acrolein	0.12
Antimony	0.01
Arsenic	0.17
Benzene	0.54
Benzyl Chloride	0.29
Beryllium	0.01
Bis(2-ethylhexyl)phthalate (DEHP)	0.03
Bromoform	0.02
Cadmium	0.03
Carbon Disulfide	0.06
2-Chloroacetophenone	0.01
Chlorobenzene	0.01
Chloroform	0.03
Chromium	0.11
Chromium VI	0.04
Cobalt	0.05
Cumene	0.01
Cyanide	1.03

Pollutant	lb/hr
2,4-Dinitrotoluene	0.01
Dimethyl Sulfate	0.02
Ethyl Benzene	0.04
Ethyl Chloride	0.02
Ethylene Dichloride	0.02
Ethylene Dibromide	0.01
Formaldehyde	0.71
Hexane	0.03
Hydrogen Chloride	5.10
Hydrogen Fluoride	18.25
Isophorone	0.24
Manganese	0.21
Mercury	0.04
Methyl Bromide	0.07
Methyl Chloride	0.22
Methyl Ethyl Ketone	0.17
Methyl Hydrazine	0.07
Methyl Methacrylate	0.01
Methyl Tert Butyl Ether	0.02
Methylene Chloride	0.12
Nickel	0.12
Phenol	0.16
Polycyclic Organic Matter	0.02
Polynuclear Aromatic Hydrocarbons	0.02
Propionaldehyde	0.16
Selenium	0.54
Styrene	0.02

Pollutant	lb/hr
Tetrachloroethylene	0.02
Toluene	0.10
1,1,1-Trichloroethane	0.01
Vinyl Acetate	0.01
Xylenes	0.02
Sulfuric Acid	5.82

3. SN-01 (boiler) is subject to 40 CFR, Part 60, Subpart A, General Provisions and 40 CFR, Part 60, Subpart D, Standards of Performance for Fossil-Fuel Fired Steam Generators due to a heat input capacity greater than 250 million British Thermal Units per hour (MMBtu/hr) and installation after August 17, 1971. 40 CFR, Part 60, Subpart D is provided as Appendix A. Applicable provisions of Subpart D for the coal firing scenario, include, but are not limited to:

   a. Pursuant to 40 CFR 60.42(a)(1), PM emissions shall not exceed 0.1 lb/MMBtu.
   b. Pursuant to 40 CFR 60.42(a)(2), opacity shall not exceed 20%, except for one six-minute period per hour of not more than 27 percent opacity.
   c. Pursuant to 40 CFR 60.43(a)(2), SO_2 emissions shall not exceed 1.2 lb/MMBtu.
   d. Pursuant to 40 CFR 60.44(a)(3), NO_x emissions shall not exceed 0.7 lb/MMBtu.
   e. Pursuant to 40 CFR 60.45(a), the permittee shall install, calibrate and maintain Continuous Emissions Monitoring Systems (CEMS) for NO_x, SO_2, opacity, and carbon dioxide (CO_2). According to 60.45(b)(3), Flint Creek is not required by 40 CFR Part 60, Subpart D to monitor (CEMS) for NO_X due to the actual NO_X emissions being demonstrated to be less than 70% of the NSPS standard (0.70 lbMMBtu) during the initial performance test.
   f. Pursuant to 40 CFR 60.45(g)(1), excess opacity emissions are defined as any six minute period during which the average opacity emissions exceed 20%, except for one 6- minute average per hour of up to 27 percent opacity.
   g. Pursuant to 40 CFR 60.45(g)(2), excess SO_2 emissions are defined as any three hour period during which the average emissions (arithmetic average of three contiguous one hour periods) of SO_2 as measured by a CEMS exceed the applicable standard under 60.43 (item c).
   h. Pursuant to 40 CFR 60.45(g)(2), excess NO_x emissions are defined as any three hour period during which the average emissions (arithmetic average of three contiguous one hour periods) of NO_x as measured by a CEMS exceed the applicable standard under 60.44 (item d). According to 60.45(b)(3), Flint Creek is not required by 40 CFR Part 60, Subpart D to monitor (CEMS) for NO_X due to the actual NO_X emissions being demonstrated to be less than 70% of the NSPS standard (0.70 lbMMBtu) during the initial performance test.

i. Pursuant to 40 CFR 60.45(g), excess emission and monitoring system performance reports shall be submitted to the ADEQ for every calendar quarter. Quarterly reports shall be postmarked by the 30th day following the end of the calendar quarter. Excess emissions are defined in 60.45(g). Due to the facility having demonstrated that actual NO_X emissions are less than 70% of the federal standard (0.7 lb/MMBtu), quarterly excess NO_X emission reports are not required.

j. Pursuant to 40 CFR 60.46(a), the permittee shall conduct an initial compliance test for PM and pursuant to 40 CFR 60.46(b)(2) testing shall be conducted using EPA reference method 5. (Testing was conducted June 19, 1979).

[§19.304 of Regulation 19, and 40 CFR 60.40]

4. The permittee shall maintain records which demonstrate compliance with the hourly SO_2 emission limit set in Specific Condition 1 and may be used by the Department for enforcement purposes. Compliance shall be determined as the average emissions (arithmetic average of three contiguous one hour periods) of SO_2 as measured by a CEMS and converted to pounds per hour using corresponding average (arithmetic average of three contiguous one hour periods) stack gas flow rates. These records shall be kept on site and shall be provided to Department personnel upon request. Records shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

5. The permittee shall maintain records which demonstrate compliance with the hourly NO_x emission limit set in Specific Condition 1 and may be used by the Department for enforcement purposes. Compliance shall be determined as the average emissions (arithmetic average of three contiguous one hour periods) of NO_x as measured by a CEMS and converted to pounds per hour using corresponding average (arithmetic average of three contiguous one hour periods) stack gas flow rates. These records shall be kept on site and shall be provided to Department personnel upon request. Records shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

SCENARIO 2: COAL AND TDF CO-FIRING SPECIFIC CONDITIONS

6. The permittee shall not exceed the emission rates set forth in the following table for SN-01, when operating under Scenario 2: Coal and Tire Derived Fuel (TDF) Co-firing. [§19.501 of Regulation 19 et seq, and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr
PM_{10}	632.4
SO_2	7,588.8
VOC	24.7
CO	822.3

Pollutant	lb/hr
NO_x	4,426.8
Lead	0.07

7. The permittee shall not exceed the emission rates set forth in the following table for SN-01, when operating under Scenario 2: Coal and Tire Derived Fuel (TDF) Co-firing. [§18.801 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Pollutant	lb/hr
PM	632.4
Acetaldehyde	0.24
Acetophenone	0.01
Acrolein	0.12
Antimony	0.01
Arsenic	0.17
Benzene	0.54
Benzyl Chloride	0.29
Beryllium	0.01
Bis(2-ethylhexyl)phthalate (DEHP)	0.04
Bromoform	0.02
Cadmium	0.03
Carbon Disulfide	0.06
2-Chloroacetophenone	0.01
Chlorobenzene	0.01
Chloroform	0.03
Chromium	0.11
Chromium VI	0.04
Cobalt	0.05
Cumene	0.01
Cyanide	1.03

Pollutant	lb/hr
2,4-Dinitrotoluene	0.01
Dimethyl Sulfate	0.02
Ethyl Benzene	0.04
Ethyl Chloride	0.02
Ethylene Dichloride	0.02
Ethylene Dibromide	0.01
Formaldehyde	0.71
Hexane	0.03
Hydrogen Chloride	5.11
Hydrogen Fluoride	18.27
Isophorone	0.24
Manganese	0.21
Mercury	0.04
Methyl Bromide	0.07
Methyl Chloride	0.22
Methyl Ethyl Ketone	0.17
Methyl Hydrazine	0.07
Methyl Methacrylate	0.01
Methyl Tert Butyl Ether	0.02
Methylene Chloride	0.12
Nickel	0.12
Phenol	0.16
Polycyclic Organic Matter	0.02
Polynuclear Aromatic Hydrocarbons	0.02
Propionaldehyde	0.16
Selenium	0.54
Styrene	0.02

Pollutant	lb/hr
Tetrachloroethylene	0.02
Toluene	0.10
1,1,1-Trichloroethane	0.01
Vinyl Acetate	0.01
Xylenes	0.02
Sulfuric Acid	5.82

8. SN-01 (boiler) is subject to 40 CFR, Part 60, Subpart A, General Provisions and 40 CFR, Part 60, Subpart D, Standards of Performance for Fossil-Fuel Fired Steam Generators due to a heat input capacity greater than 250 million British Thermal Units per hour (MMBTU/hr) and installation after August 17, 1971. 40 CFR, Part 60, Subpart D is provided as Appendix A. Applicable provisions of Subpart D, for the coal and TDF firing scenario, include, but are not limited to:
   a. Pursuant to 40 CFR 60.42(a)(1), PM emissions shall not exceed 0.1 lb/MMBtu.
   b. Pursuant to 40 CFR 60.42(a)(2), opacity shall not exceed 20%, except for one six-minute period per hour of not more than 27 percent opacity.
   c. Pursuant to 40 CFR 60.43(a)(2), SO_2 emissions shall not exceed 1.2 lb/MMBtu.
   d. Pursuant to 40 CFR 60.44(a)(3), NOx emissions shall not exceed 0.7 lb/MMBtu.
   e. Pursuant to 40 CFR 60.45(a), the permittee shall install, calibrate and maintain a CEMS for NO_x, SO_2, opacity, and carbon dioxide (CO_2). According to 60.45(b)(3), Flint Creek is not required by 40 CFR Part 60, Subpart D to monitor (CEMS) for NO_X due to the actual NO_X emissions being demonstrated to be less than 70% of the NSPS standard (0.70 lbMMBtu) during the initial performance test.
   f. Pursuant to 40 CFR 60.45(g)(1), excess opacity emissions are defined as any six minute period during which the average opacity emissions exceed 20%, except for one 6 minute average per hour of up to 27 percent opacity.
   g. Pursuant to 40 CFR 60.45(g)(2), excess SO_2 emissions are defined as any three hour period during which the average emissions (arithmetic average of three contiguous one hour periods) of SO_2 as measured by a CEMS exceed the applicable standard under 40 CFR 60.43 (item c).
   h. Pursuant to 40 CFR 60.45(g)(2), excess NO_x emissions are defined as any three hour period during which the average emissions (arithmetic average of three contiguous one hour periods) of NO_x as measured by a CEMS exceed the applicable standard under 40 CFR 60.44 (item d). According to 60.45(b)(3), Flint Creek is not required by 40 CFR Part 60, Subpart D to monitor (CEMS) for NO_X due to the actual NO_X emissions being demonstrated to be less than 70% of the NSPS standard (0.70 lbMMBtu) during the initial performance test.
   i. Pursuant to 40 CFR 60.45(g), excess emission and monitoring system performance reports shall be submitted to the ADPCE for every calendar quarter. Quarterly reports shall be postmarked by the 30th day following the end of the calendar quarter.

Excess emissions are defined in 40 CFR 60.45(g). Due to the facility having demonstrated that actual NO_X emissions are less than 70% of the federal standard (0.7 lb/MMBtu), quarterly excess NO_X emission reports are not required.

j. Pursuant to 40 CFR 60.46(a), the permittee shall conduct an initial compliance test for PM and pursuant to 40 CFR 60.46(b)(2) testing shall be conducted using EPA reference method 5. (A separate test under this scenario is not required. This requirement refers to the original coal firing compliance test conducted June 19, 1979).

[§19.304 of Regulation 19, and 40 CFR 60.40]

9. The permittee shall maintain records which demonstrate compliance with the hourly SO_2 emission limit set in Specific Condition 6 and may be used by the Department for enforcement purposes. Compliance shall be determined as the average emissions (arithmetic average of three contiguous one hour periods) of SO_2 as measured by a CEMS and converted to pounds per hour using corresponding average (arithmetic average of three contiguous one hour periods) stack gas flow rates. These records shall be kept on site and shall be provided to Department personnel upon request. Records shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

10. The permittee shall maintain records which demonstrate compliance with the hourly NO_x emission limit set in Specific Condition 6 and may be used by the Department for enforcement purposes. Compliance shall be determined as the average emissions (arithmetic average of three contiguous one hour periods) of NO_x as measured by a CEMS and converted to pounds per hour using corresponding average (arithmetic average of three contiguous one hour periods) stack gas flow rates. These records shall be kept on site and shall be provided to Department personnel upon request. Records shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

11. The permittee shall not exceed the maximum content limits in the following table for the coal. Supporting documentation of the chloride and fluoride contents of the coal shall be maintained on site and shall be made available to Department personnel upon request. [§18.1004 of Regulation 18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Component	Maximum Content (ppm, dry)
Chloride	42.9
Fluoride	60.0

12. The permittee shall test SN-01 for arsenic and lead while operating under Scenario 2: Coal and Tire Derived Fuel (TDF) Co-Firing and while operating at 90% or greater capacity. This testing shall be conducted during the next scheduled occurrence of burning tire derived fuel (TDF). These tests shall be performed using the test methods specified in the following table or other methods as approved by ADEQ, and shall be

conducted in accordance with Plantwide Condition #3. [§18.1002 of Regulation 18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Pollutant	EPA Reference Method
Arsenic	108
Lead	12

OTHER SPECIFIC CONDITIONS

These conditions apply to the boiler (SN-01) during all operating scenarios.

13. In accordance with the administrator's (EPA Region VI) determination (see Appendix D), fuel oil and coal co-firing shall occur in accordance with the following limitations. If the permittee fails to comply with the limitations, the determination of "representative" conditions is no longer valid and the permittee shall conduct compliance testing for PM in accordance with 40 CFR 60.46. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

    a. Co-firing fuel oil to start up or shut down pulverizer mills shall be used for a duration not to exceed the time which allows for coal ignition and boiler flame stabilization.

    b. The permittee has stated that fuel oil is co-fired only once every 7 to 8 years for flame stabilization when coal is frozen. If this scenario occurs once or more per year for three consecutive years, the permittee shall submit information regarding this scenario to the administrator for reevaluation of applicability of 40 CFR, Part 60, subpart D and may be required to conduct compliance testing as required under 40 CFR 60.46.

    c. The permittee has stated that the fuel oil storage tank is emptied once every 15 years for maintenance. If this scenario occurs once or more per year for three consecutive years, the permittee shall submit information regarding this scenario to the administrator for reevaluation of applicability of 40 CFR, Part 60, subpart D and may be required to conduct compliance testing as required under 40 CFR 60.46.

14. EPA Region VI has determined, based on the information dated August 22, 1995, that firing fuel oil to prevent boiler tube failure is a mode of boiler shut down. Pursuant to the administrator's (EPA Region VI) determination, fuel oil firing shall occur in accordance with the following limitations. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

    a. Fuel oil firing shall only occur in the event that it is necessary to prevent boiler tube failure in extreme cold weather if the boiler (SN-01) is shut down.

b. The permittee shall not generate steam to produce electricity while firing only fuel oil in this scenario. This scenario is considered a mode of boiler shut down.

c. The permittee shall maintain records sufficient to document the time period when fuel oil is fired to prevent boiler tube failure, the hourly fuel oil firing rate, and the heat input to the boiler (SN-01). These records shall be kept on site and shall be provided to Department personnel upon request. Records shall be submitted in accordance with General Provision 7.

15. The permittee may burn No. 2 Fuel Oil at SN-01 during startup, shutdown, and malfunction. Additionally, the permittee may burn No. 2 Fuel Oil at SN-01 during periodic boiler chemical cleaning and for fuel oil ignitor system testing and maintenance activities. For all other No. 2 Fuel Oil burning activities not already included in this permit (i.e., fuel flow problems), the permittee shall submit a request to EPA for a determination regarding the applicability of NSPS Subpart D limits and testing requirements during the coal and fuel oil co-firing and fuel oil only firing scenarios. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

16. The permittee shall not exceed the annual emission rates, set forth in the following table. [§19.501 of Regulation 19 et seq, and 40 CFR Part 52, Subpart E]

Pollutant	tpy
PM_{10}	2,492.9
SO_2	29,915.0
VOC	97.3
CO	3,241.8
NO_x	17,450.4
Lead	0.25

17. The permittee shall not exceed the annual emission rates, set forth in the following table. [§18.801 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Pollutant	tpy
PM	2,492.9
Acetaldehyde	0.93
Acetophenone	0.03

Pollutant	tpy
Acrolein	0.48
Antimony	0.03
Arsenic	0.67
Benzene	2.11
Benzyl Chloride	1.14
Beryllium	0.04
Bis(2-ethylhexyl)phthalate (DEHP)	0.12
Bromoform	0.07
Cadmium	0.09
Carbon Disulfide	0.22
2-Chloroacetophenone	0.02
Chlorobenzene	0.04
Chloroform	0.10
Chromium	0.43
Chromium VI	0.13
Cobalt	0.17
Cumene	0.01
Cyanide	4.06
2,4-Dinitrotoluene	0.01
Dimethyl Sulfate	0.08
Ethyl Benzene	0.16
Ethyl Chloride	0.07
Ethylene Dichloride	0.07
Ethylene Dibromide	0.01
Formaldehyde	2.80
Hexane	0.11
Hydrogen Chloride	20.13

Pollutant	tpy
Hydrogen Fluoride	72.03
Isophorone	0.95
Manganese	0.80
Mercury	0.14
Methyl Bromide	0.26
Methyl Chloride	0.86
Methyl Ethyl Ketone	0.64
Methyl Hydrazine	0.28
Methyl Methacrylate	0.04
Methyl Tert Butyl Ether	0.06
Methylene Chloride	0.48
Nickel	0.46
Phenol	0.62
Polycyclic Organic Matter	0.06
Polynuclear Aromatic Hydrocarbons	0.06
Propionaldehyde	0.62
Selenium	2.11
Styrene	0.05
Tetrachloroethylene	0.07
Toluene	0.39
1,1,1-Trichloroethane	0.04
Vinyl Acetate	0.02
Xylenes	0.06
Sulfuric Acid	25.48

18. The permittee shall not exceed 20% opacity from the boiler (SN-01) as determined using a continuous opacity monitor certified in accordance with 40 CFR Part 60 Appendix B. [§19.503 of Regulation 19, and 40 CFR Part 52, Subpart E]

19. The permittee shall maintain records, using a continuous opacity monitoring system, which demonstrate compliance with the opacity emission limit set in Specific Condition #18 and may be used by the Department for enforcement purposes. These records shall be kept on site and shall be provided to Department personnel upon request. Records shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

20. The permittee shall monitor the opacity of SN-01 using a continuous opacity monitoring system. The permittee shall initiate corrective action when the measured opacity is greater than 20% for a one-hour average. Corrective actions shall include:

    a. If the ESP is operating at reduced power (<200 KVA), the transformer-rectifier (TR) set parameters will be adjusted in an attempt to optimize achievable levels.

    b. Any individual TR sets that are out-of-service or not operating at optimum power levels shall be repaired and/or adjusted as appropriate.

    c. ESP rapping procedures may be initiated and/or adjusted as necessary.

    d. Depending on the specific events found to be the cause of the opacity increase, other corrective actions will be implemented as necessary to reduce the opacity to normal operating levels.

    e. Reduce load if appropriate and deemed effective.

    The permittee shall maintain records of the measured opacity and any corrective actions taken (Appendix C). [§19.304 of Regulation 19, and 40 CFR Part 64]

21. A monitoring report shall be submitted to the Department in accordance with General Provision #7 and shall include the following per 40 CFR §64.9(a)(2):

    a. The information required under 40 CFR §70.6(a)(3)(iii);

    b. Summary information on the number, duration and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

    c. Summary information on the number, duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

    d. A description of the actions taken to implement a Quality Improvement Plan (QIP), if required, during the reporting period as specified in §64.8. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring. A QIP shall be required if the excess emissions for opacity, as reported on the Quarterly Excess Emissions Report, exceeds 5% of the unit operating time.

    [§19.304 of Regulation 19, and 40 CFR Part 64]

22. The permittee shall test SN-01 for PM and PM_{10} while operating at 90% or greater capacity (based on 558 MW gross capacity of the unit). Emission results shall be extrapolated to correlate with 100% of the permitted capacity to determine compliance. The PM test shall be performed using EPA Reference Methods 5 and 202. The PM_{10} test shall be performed using either EPA Reference Methods 201A and 202 or 5 and 202. These tests shall be conducted in accordance with Plantwide Condition #3. EPA Reference Method 5 shall be used to demonstrate compliance with Specific Conditions #3a and #8a. EPA Reference Methods 5 and 202 shall be used to demonstrate compliance with Specific Conditions #2 and #7. EPA Reference Methods 201A and 202 or 5 and 202 shall be used to demonstrate compliance with Specific Conditions #1 and #6. By using Methods 5 and 202 for PM_{10}, the permittee will assume all collected particulate is PM_{10}.

    This testing shall be conducted within 90 days of permit issuance. The initial PM test shall be conducted at 20% opacity. Subsequent PM tests are not required to be performed at 20% opacity. Subsequent tests shall be performed every five years and when the annual weighted average sulfur content or annual weighted average ash content changes such that:

$$\left[\left((\text{New Sulfur \%} - \text{Tested Sulfur \%}) \times 822.2\right) + \left((\text{New Ash \%} - \text{Tested Ash \%}) \times 32.9\right)\right] > \left[\left(\text{Permitted PM limit, lb/hr}\right) - \left(\text{Tested PM rate, lb/hr}\right)\right]$$

or whenever:

$$\left[\left((\text{New Sulfur \%} - \text{Tested Sulfur \%}) \times 822.2\right) + \left((\text{New Ash \%} - \text{Tested Ash \%}) \times 22.2\right)\right] > \left[\left(\text{Permitted } PM_{10} \text{ limit, lb/hr}\right) - \left(\text{Tested } PM_{10} \text{ rate, lb/hr}\right)\right]$$

    The annual weighted average coal quality analysis shall be used in the above equations to determine whether re-testing for PM and PM_{10} is necessary, and the calculated results shall be maintained onsite. These calculations shall be performed once per calendar year using the annual weighted average coal analysis data from the preceding calendar year. The calculations shall be completed prior to the end of the first quarter. See Appendix E for derivation of the above conditional equations. Any required re-testing due to sulfur content or ash content changes shall be conducted within 180 days of detecting the change based on the annual calculations referenced above. Documentation of the coal analyses from each new shipment of coal shall be maintained onsite. [§19.702 of Regulation 19, 40 CFR Part 52, Subpart E, §19.304 of Regulation 19, and 40 CFR Part 64]

23. The permittee shall test SN-01 for CO. This testing shall be conducted within 180 days of permit issuance and every 5 years thereafter. These tests shall be conducted at 90% or greater capacity (based on 558 MW gross capacity of the unit) using EPA Reference Method 10. These tests shall be conducted in accordance with Plantwide Condition #3. [§19.702 of Regulation 19 and 40 CFR Part 52, Subpart E]

24. The permittee shall not exceed 29,915.0 tpy of SO_2 emissions for any consecutive twelve month period. [§19.501 of Regulation 19, and 40 CFR Part 52, Subpart E]

25. The permittee shall maintain records, using CEMS for SO_2, which demonstrate compliance with the limit set in Specific Condition #24 and may be used by the Department for enforcement purposes. The records shall be updated on a monthly basis, shall be kept on site, and shall be provided to Department personnel upon request. A 12-month rolling total and each individual month's data shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

26. The permittee shall not exceed 17,450.4 tpy NO_x emissions for any consecutive twelve month period. [§19.501 of Regulation 19, and 40 CFR Part 52, Subpart E]

27. The permittee shall maintain records, using a CEMS for NO_x, which demonstrate compliance with the limit set in Specific Condition #26 and may be used by the Department for enforcement purposes. The records shall be updated on a monthly basis, shall be kept on site, and shall be provided to Department personnel upon request. A 12-month rolling total and each individual month's data shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

28. The permittee shall maintain a CEMS for SO_2, NO_x, volumetric flow, and CO_2 in accordance with the specifications in Appendix A. This CEMS shall comply with the Air Division's "Continuous Emission Monitoring Systems Conditions, as revised August 2004". A copy is provided in Appendix B. [§19.304 of Regulation 19, and 40 CFR 75]

29. The permittee shall submit the required quarterly monitoring reports to EPA headquarters. [§19.304 of Regulation 19 and 40 CFR 75]

30. Relative accuracy tests will be performed following the requirements under 40 CFR 75.8. This relative accuracy test will meet the requirements under 40 CFR, Part 60, Subpart D. [§19.304 of Regulation 19 and 40 CFR 75]

31. The permittee shall determine and record the heat input to each affected unit for every hour or part of an hour any fuel is combusted following the procedures in Appendix F of 40 CFR Part 75. This calculation will meet the requirements under 40 CFR, Part 60, Subpart D. [§19.304 of Regulation 19 and 40 CFR 75.10(c)]

32. The facility may evaporate non-hazardous boiler and condenser cleaning wastes generated as the result of the periodic cleaning of the boiler and/or condenser. The evaporation shall last less than 72 hours, in the aggregate, during a consecutive 12-month period.

The facility must submit a written request to perform this action to the Department thirty (30) days prior to the evaporation procedure. The written request shall be sent to the address in General Provision 7. The request shall include a description of how the cleaning waste is generated and evaporated, how much cleaning waste will be evaporated, and Material Safety Data Sheets for the chemicals that are utilized in the cleaning process. The facility must have permission from the Department before commencing the evaporation.
[A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

33. In accordance with General Provision #17, the permittee shall, 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 26, §26.701(I)(1)]

SN-02
Fly Ash Silo

Source Description

Collected fly ash is pneumatically conveyed to a fly ash silo and is shipped offsite for reuse or to the fly ash landfill. Particulate emissions from the fly ash silo are controlled by a baghouse.

Specific Conditions

34. The permittee shall not exceed the emission rates set forth in the following table. Compliance with Plantwide Condition #7 may represent compliance with the source's applicable requirements. [§19.501 of Regulation 19 et seq and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM_{10}	0.1	0.1

35. The permittee shall not exceed the emission rates set forth in the following table. Compliance with Plantwide Condition #7 may represent compliance with the source's applicable requirements. [§18.801 of Regulation 18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	0.1	0.1

36. The permittee shall not exceed 5% opacity at the fly ash silo as measured by EPA Reference Method 9. [§18.501 of Regulation 18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

37. The permittee shall conduct weekly observations of the opacity from SN-02 and keep a record of these observations. If visible emissions are observed the permittee shall take immediate action to identify and correct the cause of the visible emissions. After corrective action has been taken, the permittee shall conduct another observation of the opacity from the source in question to confirm that visible emissions are no longer present. The permittee shall maintain records of the cause of any visible emissions and the corrective action taken. These records shall be kept on site and shall be made available to Department personnel upon request. [§19.705 of Regulation 19 and 40 CFR Part 52, Subpart E]

SN-03
Coal Car Dumper

Source Description

Coal is supplied via railcar and dumped into a hopper. Emissions from the coal car dumper are controlled by an enclosure and use of water spray. The coal car dumper was installed in 1978.

Although the particulate emission rate is very low, the permitting authority understands that instantaneous visible emissions may occur due to the wind if a train is occupying the Coal Car Dumper and the doors cannot be closed. Therefore, the opacity limit for this source is 20%.

Specific Conditions

38. The permittee shall not exceed the emission rates set forth in the following table. Compliance with Plantwide Condition #7 may represent compliance with the source's applicable requirements. [§19.501 of Regulation 19 et seq, and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM_{10}	0.1	0.1

39. The permittee shall not exceed the emission rates set forth in the following table. Compliance with Plantwide Condition #7 may represent compliance with the source's applicable requirements. [§18.801 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	0.3	0.2

40. The permittee shall not exceed 20% opacity at the coal car dumper (SN-03) as measured by EPA Reference Method 9. [§19.503 of Regulation 19, and 40 CFR Part 52, Subpart E]

41. The permittee shall conduct weekly observations of the opacity from SN-03 by a person trained in EPA Reference Method 9 and keep a record of these observations. If visible emissions appear to be in excess of 20%, the permittee shall take immediate action to identify and correct the cause of the visible emissions. After corrective action has been taken, the permittee shall conduct another observation of the opacity from the source in question to confirm that visible emissions are no longer present. The permittee shall maintain records of the cause of any visible emissions and the corrective action taken.

These records shall be kept on site and shall be made available to Department personnel upon request. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

42. The permittee shall utilize a water spray as necessary to minimize emissions at the coal car dumper (SN-03). [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

SN-04
Coal Bunker

Source Description

Coal is transferred from the coal bunker conveyor into the coal tripper house and then into the coal bunker silos (SN-04). Emissions from the coal bunker are controlled by two baghouses. The coal bunker was installed in 1978.

Specific Conditions

43. The permittee shall not exceed the emission set forth in the following table. Compliance with Plantwide Condition #7 may represent compliance with the source's applicable requirements. [§19.501 of Regulation 19 et seq, and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM_{10}	0.1	0.1

44. The permittee shall not exceed the emission set forth in the following table. Compliance with Plantwide Condition #7 may represent compliance with the source's applicable requirements. [§18.801 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	0.1	0.1

45. The permittee shall not exceed 5% opacity at the coal bunker baghouse (SN-04) as measured by EPA Reference Method 9. [§18.501 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

46. The permittee shall conduct weekly observations of the opacity from SN-04 and keep a record of these observations. If visible emissions are observed the permittee shall take immediate action to identify and correct the cause of the visible emissions. After corrective action has been taken, the permittee shall conduct another observation of the opacity from the source in question to confirm that visible emissions are no longer present. The permittee shall maintain records of the cause of any visible emissions and the corrective action taken. These records shall be kept on site and shall be made available to Department personnel upon request. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

SN-05
Coal Bunker Conveyor

Source Description

Coal is transferred from the coal bunker conveyor (SN-05) into the coal tripper house and then into the coal bunker silos. Emissions from the coal bunker conveyor are controlled by use of an enclosure. The coal bunker conveyor was installed in 1978.

Specific Conditions

47. The permittee shall not exceed the emission rates set forth in the following table. Compliance with Plantwide Condition #7 may represent compliance with the source's applicable requirements. [§19.501 of Regulation 19 et seq, and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM_{10}	0.1	0.2

48. The permittee shall not exceed the emission rates set forth in the following table. Compliance with Plantwide Condition #7 may represent compliance with the source's applicable requirements. [§18.801 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	0.1	0.3

49. The permittee shall not exceed 20% opacity at the coal bunker conveyor (SN-05) as measured by EPA Reference Method 9. [§19.503 of Regulation 19 and 40 CFR Part 52, Subpart E]

50. The permittee shall conduct weekly observations of the opacity from SN-05 and keep a record of these observations. If visible emissions appear to be in excess of 20%, the permittee shall take immediate action to identify and correct the cause of the visible emissions. After corrective action has been taken, the permittee shall conduct another observation of the opacity from the source in question to confirm that visible emissions are no longer present. The permittee shall maintain records of the cause of any visible emissions and the corrective action taken. These records shall be kept on site and shall be made available to Department personnel upon request. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

SN-06
Coal Transfer House

Source Description

Coal from the hopper dumps onto an enclosed conveyor system and is transported to the coal transfer house (SN-06). At the coal transfer house, the coal can either be dropped onto the conveyor which dumps coal onto a coal pile or the coal can be dropped onto the coal bunker conveyor. Emissions from the coal transfer house are controlled by use of an enclosure and use of water sprays.

Specific Conditions

51. The permittee shall not exceed the emission rates, at source SN-06, set forth in the following table. Compliance with Plantwide Condition #7 may represent compliance with the source's applicable requirements. [§19.501 of Regulation 19 et seq, and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM_{10}	0.1	0.1

52. The permittee shall not exceed the emission rates, at source SN-06, set forth in the following table. Compliance with Plantwide Condition #7 may represent compliance with the source's applicable requirements. [§18.801 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	0.3	0.2

53. The permittee shall not exceed 20% opacity at the coal transfer house (SN-06) as measured by EPA Reference Method 9. [§19.503 of Regulation 19 and 40 CFR Part 52, Subpart E]

54. The permittee shall conduct weekly observations of the opacity from SN-06 and keep a record of these observations. If visible emissions appear to be in excess of 20%, the permittee shall take immediate action to identify and correct the cause of the visible emissions. After corrective action has been taken, the permittee shall conduct another observation of the opacity from the source in question to confirm that visible emissions are no longer present. The permittee shall maintain records of the cause of any visible emissions and the corrective action taken. These records shall be kept on site and shall be made available to Department personnel upon request. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

55. The permittee shall utilize a water spray as necessary to minimize emissions at the coal transfer house (SN-06). [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

SN-07
Coal Storage Pile

Source Description

Coal from the hopper dumps onto an enclosed conveyor system and is transported to the coal transfer house. At the coal transfer house, the coal can either be dropped onto the conveyor which dumps coal onto a coal pile (SN-07) or the coal can be dropped onto the coal bunker conveyor. Coal can be reclaimed from the coal pile using hoppers located underneath the coal pile and conveying the coal back to the coal transfer house.

Specific Conditions

56. The permittee shall not exceed the emission rates, at source SN-07, set forth in the following table. [§19.501 of Regulation 19 et seq, and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM_{10}	16.9	11.6

57. The permittee shall not exceed the emission rates, at source SN-07, set forth in the following table. [§18.801 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	39.1	40.4

58. The permittee shall not exceed 20% opacity at the coal storage pile (SN-07) as measured by EPA Reference Method 9. [§19.503 of Regulation 19 and 40 CFR Part 52, Subpart E]

59. The permittee shall conduct weekly observations of the opacity from SN-07 and keep a record of these observations. If visible emissions appear to be in excess of 20%, the permittee shall take immediate action to identify and correct the cause of the visible emissions. After corrective action has been taken, the permittee shall conduct another observation of the opacity from the source in question to confirm that visible emissions are no longer present. The permittee shall maintain records of the cause of any visible emissions and the corrective action taken. These records shall be kept on site and shall be made available to Department personnel upon request. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

60. The permittee shall utilize a water spray as necessary to minimize emissions at the coal storage pile (SN-07). [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

61. The permittee shall not exceed 26,000 vehicle miles traveled per consecutive 12-month period on unpaved roads at SN-07. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR Part 70.6].

62. The permittee shall maintain monthly records which demonstrate compliance with Specific Condition #61 and may be used by the Department for enforcement purposes. The records shall be updated on a monthly basis, shall be kept on site, and shall be provided to Department personnel upon request. An annual total and each individual month's data shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

SN-08
Ash Landfill

Source Description

Fly ash resulting from the coal combustion process is collected by two electrostatic precipitators. The fly ash collected from the electrostatic precipitators is pneumatically conveyed to a fly ash silo and is shipped offsite for reuse or to the fly ash landfill (SN-08).

Specific Conditions

63. The permittee shall not exceed the emission rates, at source SN-08, set forth in the following table. [§19.501 of Regulation 19 et seq, and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM_{10}	1.2	0.5

64. The permittee shall not exceed the emission rates, at source SN-08, set forth in the following table. [§18.801 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	3.1	2.4

65. The permittee shall not exceed 20% opacity at the ash landfill (SN-08) as measured by EPA Reference Method 9. [§19.503 of Regulation 19 and 40 CFR Part 52, Subpart E]

66. The permittee shall conduct weekly observations of the opacity from SN-08 and keep a record of these observations. If visible emissions appear to be in excess of 20%, the permittee shall take immediate action to identify and correct the cause of the visible emissions. After corrective action has been taken, the permittee shall conduct another observation of the opacity from the source in question to confirm that visible emissions are no longer present. The permittee shall maintain records of the cause of any visible emissions and the corrective action taken. These records shall be kept on site and shall be made available to Department personnel upon request. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

67. The permittee shall utilize a water spray as necessary to minimize emissions at the ash landfill (SN-08). Water treatment shall not be required when the ambient temperature is below 40^{o}F or while it is raining. A thermometer shall be maintained on site. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

68. The permittee shall not exceed 11,000 vehicle miles traveled per consecutive 12-month period on unpaved roads at SN-08. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR Part 70.6].

69. The permittee shall not exceed 11,000 vehicle miles traveled per consecutive 12-month period on paved roads at SN-08. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR Part 70.6].

70. The permittee shall maintain monthly records which demonstrate compliance with Specific Conditions #68 and #69 and may be used by the Department for enforcement purposes. The records shall be updated on a monthly basis, shall be kept on site, and shall be provided to Department personnel upon request. A 12-month rolling total and each individual month's data shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

SN-14, 15, 18
Storage Tanks

Source Description

Additional emission points include three liquid fuel storage tanks for diesel fuel (SN-14), gasoline (SN-15), and fuel oil (SN-18). The diesel fuel tank has a capacity of 15,000 gallons and a throughput of 200,000 gallons per year. The gasoline tank has a capacity of 1,500 gallons and a potential throughput of 10,000 gallons. The fuel oil tank has a capacity of 921,060 gallons and a potential throughput of 6,662,560 gallons.

Specific Conditions

71. The permittee shall not exceed the emission rates, at sources SN-14, SN-15, and SN-18, set forth in the following table. [§19.501 of Regulation 19 et seq, and 40 CFR Part 52, Subpart E]

Source No.	Pollutant	lb/hr	tpy
SN-14	VOC	0.5	0.1
SN-15	VOC	18.3	0.9
SN-18	VOC	0.7	0.3

72. The permittee shall not exceed a throughput of 200,000 gallons of diesel fuel at SN-14 during any consecutive 12 month period. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR 70.6]

73. The permittee shall maintain records which demonstrate compliance with the limit set in Specific Condition #72 and may be used by the Department for enforcement purposes. The records shall be updated on a monthly basis, shall be kept on site, and shall be provided to Department personnel upon request. A 12-month rolling total and each individual month's data shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

74. The permittee shall not exceed a throughput of 10,000 gallons of gasoline at SN-15 during any consecutive 12 month period. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR 70.6]

75. The permittee shall maintain records which demonstrate compliance with the limit set in Specific Condition #74 and may be used by the Department for enforcement purposes. The records shall be updated on a monthly basis, shall be kept on site, and shall be provided to Department personnel upon request. An annual total and each individual month's data shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

76. The permittee shall not exceed a throughput of 6,662,560 gallons of fuel oil at SN-18 during any consecutive 12 month period. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR 70.6]

77. The permittee shall maintain records which demonstrate compliance with the limit set in Specific Condition #76 and may be used by the Department for enforcement purposes. The records shall be updated on a monthly basis, shall be kept on site, and shall be provided to Department personnel upon request. A 12-month rolling total and each individual month's data shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

SECTION V: COMPLIANCE PLAN AND SCHEDULE

Flint Creek Power 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.

SECTION VI: PLANTWIDE CONDITIONS

1. The permittee shall 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 19, §19.704, 40 CFR Part 52, Subpart E, and A.C.A. §8-4-203 as referenced by A.C.A. §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 19, §19.410(B) 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 shall submit the compliance test results to the Department within thirty (30) days after completing the testing. [Regulation 19, §19.702 and/or Regulation 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 19, §19.702 and/or Regulation 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; and
    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 shall maintain the equipment in good condition at all times. [Regulation 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 26 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

7. The annual throughput of coal at the facility shall not exceed 3,237,560 tons of coal during any consecutive 12-month period. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311, and 40 CFR 70.6]

8. The permittee shall maintain monthly records which demonstrate compliance with the limit set in Plantwide Condition #7. These records may be used by the Department for

enforcement purposes. The records shall be updated on a monthly basis, shall be kept on site, and shall be provided to Department personnel upon request. A 12-month rolling total and each individual month's data shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

9. The annual throughput of TDF at the facility shall not exceed 7,300 tons during any consecutive 12-month period. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311, and 40 CFR 70.6]

10. The permittee shall maintain monthly records which demonstrate compliance with the limit set in Plantwide Condition #9. These records may be used by the Department for enforcement purposes. The records shall be updated on a monthly basis, shall be kept on site, and shall be provided to Department personnel upon request. A 12-month rolling total and each individual month's data shall be submitted in accordance with General Provision 7. [§19.705 of Regulation 19, and 40 CFR Part 52, Subpart E]

Acid Rain (Title IV)

11. The Director prohibits the permittee to cause any emissions exceeding any allowances the source lawfully holds under Title IV of the Act or the regulations promulgated under the Act. No permit revision is required for increases in emissions allowed by allowances acquired pursuant to the acid rain program, if such increases do not require a permit revision under any other applicable requirement. This permit establishes no limit on the number of allowances held by the permittee. However, the source may not use allowances as a defense for noncompliance with any other applicable requirement of this permit or the Act. The permittee will account for any such allowance according to the procedures established in regulations promulgated under Title IV of the Act. [Regulation 26, §26.701 and 40 CFR 70.6(a)(4)]

Title VI Provisions

12. 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.

13. 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.)
    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.

14. 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.

15. 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.

16. 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".

SECTION VII: INSIGNIFICANT ACTIVITIES

The following sources are insignificant activities. Any activity that has a state or federal applicable requirement shall be considered 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 October 8, 2003 and correspondence dated March 12, 2004.

Description	Category
Diesel Fire Pump 2.97 MMBTU/hr (SN-13)	A-1
Portable Baghouse Diesel Engine (1 unit – 0.91 MMBtu/hr)	A-1
Vacuum Trucks Diesel Engines (2 units – 1.86 MMBtu/hr total)	A-1
Water Pumps Diesel Engines (2 units – 1.46 MMBtu/hr total)	A-1
560 Gallon Kerosene Tank (SN-16)	A-3
1,000 Gallon Used Oil Tank (SN-17)	A-3
500 Gallon Used Oil Tank (SN-19)	A-3
Emergency Generator (SN-12)	A-12
Gasoline Refueling Emissions (SN-10)	A-13
Diesel Refueling Emissions (SN-11 and diesel refueling for maintenance activities)	A-13
Sandblast Rigs Diesel Engines (5 units – 7.78 MMBtu/hr total)	A-13
Maintenance Activities (Portable Baghouse and Vacuum Trucks used twice a year)	A-13
Solvent use for equipment maintenance that is not related to the sources' primary business activity (SN-09)	B-14

SECTION VIII: GENERAL PROVISIONS

1. 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 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 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 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 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 five (5) years from the date of the monitoring sample, measurement, report, or 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 26, §26.701(C)(2)(b)]

7. The permittee must submit reports of all required monitoring every six (6) months. If permit establishes no other reporting period, the reporting period shall end on the last day of the anniversary month of the initial Title V permit. The report is due within thirty (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 C.F.R. 70.6(a)(3)(iii)(A) and Regulation 26, §26.701(C)(3)(a)]

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.

   a. For all upset conditions (as defined in Regulation 19.601), 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:

      i. The facility name and location,

      ii. The process unit or emission source deviating from the permit limit,

      iii. The permit limit, including the identification of pollutants, from which deviation occurs,

      iv. The date and time the deviation started,

      v. The duration of the deviation,

      vi. The average emissions during the deviation,

      vii. The probable cause of such deviations,

      viii. Any corrective actions or preventive measures taken or being taken to prevent such deviations in the future, and

      ix. 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.

b. For all deviations, the permittee will report such events in semi-annual reporting and annual certifications required in this permit. This includes all upset conditions reported in 8a. above. The semi-annual report must include all the information as required in the initial and full report required in 8a.

[40 CFR 70.6(a)(3)(iii)(B), Regulation No. 26 §26.701(C)(3)(b), Regulation No. 19 §19.601 and §19.602]

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), Regulation 26, §26.701(E), and A.C.A. §8-4-203 as referenced by A.C.A. §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 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 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 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 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 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 26, §26.701(F)(5)]

15. The permittee must pay all permit fees in accordance with the procedures established in Regulation 9. [40 CFR 70.6(a)(7) and Regulation 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 26, §26.701(H)]

17. If the permit allows different operating scenarios, the permittee shall, 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 26, §26.701(I)(1)]

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 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 26, §26.2. [40 CFR 70.6(c)(1) and Regulation 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 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 shall 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 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;
e. and 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 26, §26.704(C)] The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section; the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance; the applicable requirements of the acid rain program, consistent with §408(a) of the Act or, 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 A.C.A. §8-4-304 and §8-4-311]