

RESPONSE TO COMMENTS

Acme Brick Company – Fort Smith Plant DRAFT PERMIT #713-AOP-R3 AFIN: 66-00081

On August 19, 2008 the Director of the Arkansas Department of Environmental Quality gave notice of a draft permitting decision for the above referenced facility. During the comment period Acme Brick Company submitted comments, data, views or arguments on the draft permitting decision. The Department's response to these issues follows.

Issue 1:

Page 15 - Source No. SN-20 Description

Remove "a Basic Machinery Hammermill".

That piece of equipment has been removed..

Remove "passed through the Hammermill" and replace with "returned to the Stedman Crusher".

Response 1:

The changes have been made.

ADEQ OPERATING AIR PERMIT

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

Permit No. : 0713-AOP-R3

IS ISSUED TO:

Acme Brick Company – Fort Smith Plant

2001 Old Greenwood Road
Fort Smith, AR 72903
Sebastian County


AFIN: 66-00081

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:

November 12, 2008 AND November 11, 2013

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

Signed:


Mike Bates

Chief, Air Division

November 12, 2008
Date

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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

AFIN: 66-00081

PERMIT NUMBER: 0713-AOP-R3

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: Siew Low

UTM North - South (Y): Zone 15 3913.7 km

UTM East - West (X): Zone 15 373.2 km

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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. In this Title V renewal, emission rates are revised using AP-42 emission factors plus safety factor. Emission rates were calculated based on stack testing data in the previous permit. Additionally, because 40 CFR 63, Subpart JJJJJ has been vacated, all conditions required by this subpart have been removed from the permit. The proposed modification resulted in an increase of 10.3 tons per year (tpy) of PM/PM₁₀ emissions, 3.2 tpy of NO_x emissions, and 1.28 tpy of HCl emissions; and decreases of 57.7 tpy of SO₂ emissions, 22.3 tpy of VOC, 37.5 tpy of CO, and 1.59 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 unpaved haul roads.

The raw materials are placed in the 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 – 52 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.

Regulations

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 October 15, 2007
Regulations of the Arkansas Operating Air Permit Program, Regulation 26, effective September 26, 2002
NSPS Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plant

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

Emission Summary

Source No.	Description	Pollutant	lb/hr	tpy
Total Allowable Emissions		PM	18.7	43.4
		PM ₁₀	18.7	43.4
		SO ₂	21.4	48.2
		VOC	8.5	20.1
		CO	31.7	85.5
		NO _x	9.5	25.8
HAPs		HF	7.88	18.28
		HCl	3.64	8.40
		Total HAPs	11.52	26.68
01, 02, and 03	Drypan, Scalping Screen #1 and #2	Sources combined to form source number SN-13 (Grinding Process).		
04	Lower Dryer Exhaust	PM/PM ₁₀	0.9	3.7
		CO	3.4	14.7
		NO _x	1.1	4.7
		VOC	0.4	1.4
		HF	0.10	0.44
		HCl	0.05	0.2
05	Upper Dryer Exhaust	PM/PM ₁₀	0.9	3.7
		CO	3.4	14.7

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Source No.	Description	Pollutant	lb/hr	tpy
		NO _x	1.1	4.7
		VOC	0.4	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	15.6	34.6
		SO ₂	21.4	48.2
		CO	24.9	56.1
		NO _x	7.3	16.4
		VOC	7.7	17.3
		HF	7.68	17.4
		HCl	3.54	8.0
20	Grinding Building	PM/PM ₁₀	1.3	1.4

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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, issued on May 6, 1999 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.

Permit 713-AOP-R2 was issued on August 29, 2003. With this Title V renewal, this permit changed two sources (SN-04 and SN-05) from insignificant activities (Group C Number 5) to permitted emission sources, and it lengthened the burn cycle of the kilns. The modification resulted 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.

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Section IV: SPECIFIC CONDITONS

Source No. SN-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 AP-42 emission factors. The ton per year pollutant emission rates are effectively limited by Plantwide Condition 9. [Regulation No. 19 §19.501 *et seq.* effective October 15, 2007, and 40 CFR Part 52, Subpart E]

Maximum Criteria Emission Rates

Source No.	Pollutant	lb/hr	tpy
04	PM ₁₀	0.9	3.7
	VOC	0.4	1.4
	CO	3.4	14.7
	NO _x	1.1	4.7
05	PM ₁₀	0.9	3.7
	VOC	0.4	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 AP-42 emission factors. The ton per year pollutant emission rates are effectively limited by

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Plantwide 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]

Maximum Non-Criteria Emission Rates

Source No.	Pollutant	lb/hr	tpy
04	PM	0.9	3.7
	HF	0.10	0.44
	HCl	0.05	0.20
05	PM	0.9	3.7
	HF	0.10	0.44
	HCl	0.05	0.20

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

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

- The permittee will conduct weekly observations of the opacity from sources SN-04 and SN-05 and keep a record of these observations. The weekly 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. SN-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 -52 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. Stack tests was last conducted in December 2003.

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 AP-42 emission factors. The ton per year pollutant emission rates are effectively limited by Plantwide Condition 9. [Regulation No. 19 §19.501 *et seq.*, and 40 CFR Part 52, Subpart E]

Maximum Criteria Emission Rates

Source	Pollutant	lb/hr	tpy
Total emissions for all three kilns	PM ₁₀	15.6	34.6
	SO ₂	21.4	48.2
	VOC	7.7	17.3
	CO	24.9	56.1
	NO _x	7.3	16.4

- 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 AP-42 emission factors. The ton per year pollutant emission rates are effectively limited by Plantwide Condition 9. [Regulation No. §18.801 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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Maximum Non-Criteria Emission Rates

Source	Pollutant	lb/hr	tpy
Total emissions for all three kilns	PM	15.6	34.6
	HF	7.68	17.4
	HCl	3.54	8.0

8. Visible emissions may not exceed the limits specified in the following table of this permit as measured by EPA Reference Method 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 weekly observations of the opacity from sources SN-17, 18, and 19 and keep a record of these observations. The weekly 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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Source No. SN-20 Description

Source SN-20 is the grinding facility for the plant. The grinding facility consists of a Stedman Crusher, 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 returned to the Stedman Crusher 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

11. 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 Plantwide Condition 9. [Regulation No. 19 §19.501 *et seq.*, and 40 CFR Part 52, Subpart E]

Maximum Criteria Emission Rates

Pollutant	lb/hr	tpy
PM ₁₀	1.3	1.4

12. 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 Plantwide Condition 9. [Regulation No. §18.801 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Maximum Non-Criteria Emission Rates

Pollutant	lb/hr	tpy
PM	1.3	1.4

13. 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

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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]

14. The grinding facility (SN-20) will not exceed the following emission limits. Compliance shall be demonstrated by the initial compliance test (for PM) conducted on August 10, 2000 and by the weekly opacity observation requirement contained in Specific Condition 15. [Regulation 19 §19.304 and 40 CFR Part 60.672]

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)

15. 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: Plantwide 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 Plantwide 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.

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 the following table of this condition. The permit specifically identifies the following as applicable requirements based upon the information submitted by the permittee in an application dated March 10, 2008.

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
SN-20	40 CFR Part 60 Subpart 000	Standards of Performance for Nonmetallic Mineral Processing Plants

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The permit specifically identifies the following as inapplicable based upon information submitted by the permittee in an application dated March 10, 2008.

Table 1 - 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 shall be considered a significant activity even if this activity meets the criteria of §26.304 of Regulation 26 or listed in the table below. Insignificant activity determinations rely upon the information submitted by the permittee in an application dated March 10, 2008.

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
IA-18, Road Fugitives	A-13

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Description	Category
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

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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 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)]
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.
 - 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.

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[40 CFR 70.6(a)(3)(ii)(A) and Regulation 26, §26.701(C)(2)]

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:

Arkansas Department of Environmental Quality

Air Division

ATTN: Compliance Inspector Supervisor

5301 Northshore Drive

North Little Rock, AR 72118-5317

[40 C.F.R. 70.6(a)(3)(iii)(A) and Regulation 26, §26.701(C)(3)(a)]

8. The permittee shall 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, § 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;

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- 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 shall 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 shall 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 by the initial and full reports required in 8a.

[Regulation 19, §19.601 and §19.602, Regulation 26, §26.701(C)(3)(b), and 40 CFR 70.6(a)(3)(iii)(B)]

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

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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)]

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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 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

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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 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 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 A.C.A. §8-4-304 and §8-4-311]

24. The permittee may request in writing and at least 15 days in advance of the deadline, an extension to any testing, compliance or other dates in this permit. No such extensions are authorized until the permittee receives written Department approval. The Department may grant such a request, at its discretion in the following circumstances:

- a. Such an extension does not violate a federal requirement;
- b. The permittee demonstrates the need for the extension; and
- c. The permittee documents that all reasonable measures have been taken to meet the current deadline and documents reasons it cannot be met.

[Regulation 18, §18.102(C-D), Regulation 19, §19.103(D), A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311, and CFR Part 52, Subpart E]

25. The permittee may request in writing and at least 30 days in advance, temporary emissions and/or testing that would otherwise exceed an emission rate, throughput requirement, or other limit in this permit. No such activities are authorized until the permittee receives written Department approval. Any such emissions shall be included in the facility's total emissions and reported as such. The Department may grant such a request, at its discretion under the following conditions:

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- a. Such a request does not violate a federal requirement;
- b. Such a request is temporary in nature;
- c. Such a request will not result in a condition of air pollution;
- d. The request contains such information necessary for the Department to evaluate the request, including but not limited to, quantification of such emissions and the date/time such emission will occur;
- e. Such a request will result in increased emissions less than five tons of any individual criteria pollutant, one ton of any single HAP and 2.5 tons of total HAPs; and
- f. The permittee maintains records of the dates and results of such temporary emissions/testing.

[Regulation 18, §18.102(C-D), Regulation 19, §19.103(D), A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311, and CFR Part 52, Subpart E]

26. The permittee may request in writing and at least 30 days in advance, an alternative to the specified monitoring in this permit. No such alternatives are authorized until the permittee receives written Department approval. The Department may grant such a request, at its discretion under the following conditions:

- a. The request does not violate a federal requirement;
- b. The request provides an equivalent or greater degree of actual monitoring to the current requirements; and
- c. Any such request, if approved, is incorporated in the next permit modification application by the permittee.

[Regulation 18, §18.102(C-D), Regulation 19, §19.103(D), A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311, and CFR Part 52, Subpart E]

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APPENDIX A
NSPS Subpart OOO – Standards of Performance for Nonmetallic Mineral Processing Plant

Title 40: Protection of Environment

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants

Source: 51 FR 31337, Aug. 1, 1985, unless otherwise noted.

§ 60.670 Applicability and designation of affected facility.

(a)(1) Except as provided in paragraphs (a)(2), (b), (c), and (d) of this section, the provisions of this subpart are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of this subpart.

(2) The provisions of this subpart do not apply to the following operations: All facilities located in underground mines; and stand-alone screening operations at plants without crushers or grinding mills.

(b) An affected facility that is subject to the provisions of subpart F or I or that follows in the plant process any facility subject to the provisions of subparts F or I of this part is not subject to the provisions of this subpart.

(c) Facilities at the following plants are not subject to the provisions of this subpart:

(1) Fixed sand and gravel plants and crushed stone plants with capacities, as defined in §60.671, of 23 megagrams per hour (25 tons per hour) or less;

(2) Portable sand and gravel plants and crushed stone plants with capacities, as defined in §60.671, of 136 megagrams per hour (150 tons per hour) or less; and

(3) Common clay plants and pumice plants with capacities, as defined in §60.671, of 9 megagrams per hour (10 tons per hour) or less.

(d)(1) When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, the new facility is exempt from the provisions of §§60.672, 60.674, and 60.675 except as provided for in paragraph (d)(3) of this section.

(2) An owner or operator complying with paragraph (d)(1) of this section shall submit the information required in §60.676(a).

(3) An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in paragraph (d)(1) of this section and must comply with the provisions of §§60.672, 60.674 and 60.675.

(e) An affected facility under paragraph (a) of this section that commences construction, reconstruction, or modification after August 31, 1983 is subject to the requirements of this part.

(f) Table 1 of this subpart specifies the provisions of subpart A of this part 60 that apply and those that do not apply to owners and operators of affected facilities subject to this subpart.

Table 1—Applicability of Subpart A to Subpart OOO

Subpart A reference	Applies to Subpart OOO	Comment
60.1, Applicability	Yes	
60.2, Definitions	Yes	
60.3, Units and abbreviations	Yes	
60.4, Address:		
(a)	Yes	
(b)	Yes	
60.5, Determination of construction or modification	Yes	
60.6, Review of plans	Yes	
60.7, Notification and recordkeeping	Yes	Except in (a)(2) report of anticipated date of initial startup is not required (§60.676(h)).
60.8, Performance tests	Yes	Except in (d), after 30 days notice for an initially scheduled performance test, any rescheduled performance test requires 7 days notice, not 30 days (§60.675(g)).
60.9, Availability of information	Yes	
60.10, State authority	Yes	
60.11, Compliance with standards and maintenance requirements	Yes	Except in (b) under certain conditions (§§60.675 (c)(3) and (c)(4)), Method 9 observation may be reduced from 3 hours to 1 hour. Some affected facilities exempted from Method 9 tests (§60.675(h)).
60.12, Circumvention	Yes	
60.13, Monitoring requirements	Yes	
60.14, Modification	Yes	
60.15, Reconstruction	Yes	
60.16, Priority list	Yes	
60.17, Incorporations by reference	Yes	

60.18, General control device	No	Flares will not be used to comply with the emission limits.
60.19, General notification and reporting requirements	Yes	

[51 FR 31337, Aug. 1, 1985, as amended at 62 FR 31359, June 9, 1997]

§ 60.671 Definitions.

All terms used in this subpart, but not specifically defined in this section, shall have the meaning given them in the Act and in subpart A of this part.

Bagging operation means the mechanical process by which bags are filled with nonmetallic minerals.

Belt conveyor means a conveying device that transports material from one location to another by means of an endless belt that is carried on a series of idlers and routed around a pulley at each end.

Bucket elevator means a conveying device of nonmetallic minerals consisting of a head and foot assembly which supports and drives an endless single or double strand chain or belt to which buckets are attached.

Building means any frame structure with a roof.

Capacity means the cumulative rated capacity of all initial crushers that are part of the plant.

Capture system means the equipment (including enclosures, hoods, ducts, fans, dampers, etc.) used to capture and transport particulate matter generated by one or more process operations to a control device.

Control device means the air pollution control equipment used to reduce particulate matter emissions released to the atmosphere from one or more process operations at a nonmetallic mineral processing plant.

Conveying system means a device for transporting materials from one piece of equipment or location to another location within a plant. Conveying systems include but are not limited to the following: Feeders, belt conveyors, bucket elevators and pneumatic systems.

Crusher means a machine used to crush any nonmetallic minerals, and includes, but is not limited to, the following types: jaw, gyratory, cone, roll, rod mill, hammermill, and impactor.

Enclosed truck or railcar loading station means that portion of a nonmetallic mineral processing plant where nonmetallic minerals are loaded by an enclosed conveying system into enclosed trucks or railcars.

Fixed plant means any nonmetallic mineral processing plant at which the processing equipment specified in §60.670(a) is attached by a cable, chain, turnbuckle, bolt or other means (except electrical connections) to any anchor, slab, or structure including bedrock.

Fugitive emission means particulate matter that is not collected by a capture system and is released to the atmosphere at the point of generation.

Grinding mill means a machine used for the wet or dry fine crushing of any nonmetallic mineral. Grinding mills include, but are not limited to, the following types: hammer, roller, rod, pebble and ball, and fluid energy. The grinding mill includes the air conveying system, air separator, or air classifier, where such systems are used.

Initial crusher means any crusher into which nonmetallic minerals can be fed without prior crushing in the plant.

Nonmetallic mineral means any of the following minerals or any mixture of which the majority is any of the following minerals:

(a) Crushed and Broken Stone, including Limestone, Dolomite, Granite, Traprock, Sandstone, Quartz, Quartzite, Marl, Marble, Slate, Shale, Oil Shale, and Shell.

(b) Sand and Gravel.

(c) Clay including Kaolin, Fireclay, Bentonite, Fuller's Earth, Ball Clay, and Common Clay.

(d) Rock Salt.

(e) Gypsum.

(f) Sodium Compounds, including Sodium Carbonate, Sodium Chloride, and Sodium Sulfate.

(g) Pumice.

(h) Gilsonite.

(i) Talc and Pyrophyllite.

(j) Boron, including Borax, Kernite, and Colemanite.

(k) Barite.

(l) Fluorospar.

(m) Feldspar.

(n) Diatomite.

(o) Perlite.

(p) Vermiculite.

(q) Mica.

(r) Kyanite, including Andalusite, Sillimanite, Topaz, and Dumortierite.

Nonmetallic mineral processing plant means any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located, including lime plants, power plants, steel mills, asphalt concrete plants, portland cement plants, or any other facility processing nonmetallic minerals except as provided in §60.670 (b) and (c).

Portable plant means any nonmetallic mineral processing plant that is mounted on any chassis or skids and may be moved by the application of a lifting or pulling force. In addition, there shall be no cable, chain, turnbuckle, bolt or other means (except electrical connections) by which any piece of equipment is attached or clamped to any anchor, slab, or structure, including bedrock that must be removed prior to the application of a lifting or pulling force for the purpose of transporting the unit.

Production line means all affected facilities (crushers, grinding mills, screening operations, bucket elevators, belt conveyors, bagging operations, storage bins, and enclosed truck and railcar loading stations) which are directly connected or are connected together by a conveying system.

Screening operation means a device for separating material according to size by passing undersize material through one or more mesh surfaces (screens) in series, and retaining oversize material on the mesh surfaces (screens).

Size means the rated capacity in tons per hour of a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station; the total surface area of the top screen of a screening operation; the width of a conveyor belt; and the rated capacity in tons of a storage bin.

Stack emission means the particulate matter that is released to the atmosphere from a capture system.

Storage bin means a facility for storage (including surge bins) or nonmetallic minerals prior to further processing or loading.

Transfer point means a point in a conveying operation where the nonmetallic mineral is transferred to or from a belt conveyor except where the nonmetallic mineral is being transferred to a stockpile.

Truck dumping means the unloading of nonmetallic minerals from movable vehicles designed to transport nonmetallic minerals from one location to another. Movable vehicles include but are not limited to: trucks, front end loaders, skip hoists, and railcars.

Vent means an opening through which there is mechanically induced air flow for the purpose of exhausting from a building air carrying particulate matter emissions from one or more affected facilities.

Wet mining operation means a mining or dredging operation designed and operated to extract any nonmetallic mineral regulated under this subpart from deposits existing at or below the water table, where the nonmetallic mineral is saturated with water.

Wet screening operation means a screening operation at a nonmetallic mineral processing plant which removes unwanted material or which separates marketable fines from the product by a washing process which is designed and operated at all times such that the product is saturated with water.

[51 FR 31337, Aug. 1, 1985, as amended at 62 FR 31359, June 9, 1997]

§ 60.672 Standard for particulate matter.

(a) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any stack emissions which:

(1) Contain particulate matter in excess of 0.05 g/dscm (0.022 gr/dscf); and

(2) Exhibit greater than 7 percent opacity, unless the stack emissions are discharged from an affected facility using a wet scrubbing control device. Facilities using a wet scrubber must comply with the reporting provisions of §60.676 (c), (d), and (e).

(b) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in paragraphs (c), (d), and (e) of this section.

(c) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator shall cause to be discharged into the atmosphere from any crusher, at which a capture system is not used, fugitive emissions which exhibit greater than 15 percent opacity.

(d) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.

(e) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in paragraphs (a), (b) and (c) of this section, or the building enclosing the affected facility or facilities must comply with the following emission limits:

(1) No owner or operator shall cause to be discharged into the atmosphere from any building enclosing any transfer point on a conveyor belt or any other affected facility any visible fugitive emissions except emissions from a vent as defined in §60.671.

(2) No owner or operator shall cause to be discharged into the atmosphere from any vent of any building enclosing any transfer point on a conveyor belt or any other affected facility emissions which exceed the stack emissions limits in paragraph (a) of this section.

(f) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator shall cause to be discharged into the atmosphere from any baghouse that controls emissions from only an individual, enclosed storage bin, stack emissions which exhibit greater than 7 percent opacity.

(g) Owners or operators of multiple storage bins with combined stack emissions shall comply with the emission limits in paragraph (a)(1) and (a)(2) of this section.

(h) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup, no owner or operator shall cause to be discharged into the atmosphere any visible emissions from:

(1) Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to the next crusher, grinding mill or storage bin.

(2) Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, where such screening operations, bucket elevators, and belt conveyors process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.

[51 FR 31337, Aug. 1, 1985, as amended at 62 FR 31359, June 9, 1997; 65 FR 61778, Oct. 17, 2000]

§ 60.673 Reconstruction.

(a) The cost of replacement of ore-contact surfaces on processing equipment shall not be considered in calculating either the "fixed capital cost of the new components" or the "fixed capital cost that would be required to construct a comparable new facility" under §60.15. Ore-contact surfaces are crushing surfaces; screen meshes, bars, and plates; conveyor belts; and elevator buckets.

(b) Under §60.15, the "fixed capital cost of the new components" includes the fixed capital cost of all depreciable components (except components specified in paragraph (a) of this section) which are or will be replaced pursuant to all continuous programs of component replacement commenced within any 2-year period following August 31, 1983.

§ 60.674 Monitoring of operations.

The owner or operator of any affected facility subject to the provisions of this subpart which uses a wet scrubber to control emissions shall install, calibrate, maintain and operate the following monitoring devices:

(a) A device for the continuous measurement of the pressure loss of the gas stream through the scrubber. The monitoring device must be certified by the manufacturer to be accurate within ± 250 pascals ± 1 inch water gauge pressure and must be calibrated on an annual basis in accordance with manufacturer's instructions.

(b) A device for the continuous measurement of the scrubbing liquid flow rate to the wet scrubber. The monitoring device must be certified by the manufacturer to be accurate within ± 5 percent of design scrubbing liquid flow rate and must be calibrated on an annual basis in accordance with manufacturer's instructions.

§ 60.675 Test methods and procedures.

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). Acceptable alternative methods and procedures are given in paragraph (e) of this section.

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.672(a) as follows:

(1) Method 5 or Method 17 shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5, if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter.

(2) Method 9 and the procedures in §60.11 shall be used to determine opacity.

(c)(1) In determining compliance with the particulate matter standards in §60.672 (b) and (c), the owner or operator shall use Method 9 and the procedures in §60.11, with the following additions:

(i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.

(iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

(2) In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under §60.672(f) of this subpart, using Method 9, the duration of the Method 9 observations shall be 1 hour (ten 6-minute averages).

(3) When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 10 percent opacity; and

(ii) There are no more than 3 readings of 10 percent for the 1-hour period.

(4) When determining compliance with the fugitive emissions standard for any crusher at which a capture system is not used as described under §60.672(c) of this subpart, the duration of the Method 9 observations

may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 15 percent opacity; and

(ii) There are no more than 3 readings of 15 percent for the 1-hour period.

(d) In determining compliance with §60.672(e), the owner or operator shall use Method 22 to determine fugitive emissions. The performance test shall be conducted while all affected facilities inside the building are operating. The performance test for each building shall be at least 75 minutes in duration, with each side of the building and the roof being observed for at least 15 minutes.

(e) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) For the method and procedure of paragraph (c) of this section, if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used:

(i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.

(ii) Separate the emissions so that the opacity of emissions from each affected facility can be read.

(f) To comply with §60.676(d), the owner or operator shall record the measurements as required in §60.676(c) using the monitoring devices in §60.674 (a) and (b) during each particulate matter run and shall determine the averages.

(g) If, after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting any rescheduled performance test required in this section, the owner or operator of an affected facility shall submit a notice to the Administrator at least 7 days prior to any rescheduled performance test.

(h) Initial Method 9 performance tests under §60.11 of this part and §60.675 of this subpart are not required for:

(1) Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to, but not including the next crusher, grinding mill or storage bin.

(2) Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, that process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.

[54 FR 6680, Feb. 14, 1989, as amended at 62 FR 31360, June 9, 1997]

§ 60.676 Reporting and recordkeeping.

(a) Each owner or operator seeking to comply with §60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

(1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:

(i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and

(ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

(i) The total surface area of the top screen of the existing screening operation being replaced and

(ii) The total surface area of the top screen of the replacement screening operation.

(3) For a conveyor belt:

(i) The width of the existing belt being replaced and

(ii) The width of the replacement conveyor belt.

(4) For a storage bin:

(i) The rated capacity in megagrams or tons of the existing storage bin being replaced and

(ii) The rated capacity in megagrams or tons of replacement storage bins.

(b) [Reserved]

(c) During the initial performance test of a wet scrubber, and daily thereafter, the owner or operator shall record the measurements of both the change in pressure of the gas stream across the scrubber and the scrubbing liquid flow rate.

(d) After the initial performance test of a wet scrubber, the owner or operator shall submit semiannual reports to the Administrator of occurrences when the measurements of the scrubber pressure loss (or gain) and liquid flow rate differ by more than ± 30 percent from the averaged determined during the most recent performance test.

(e) The reports required under paragraph (d) shall be postmarked within 30 days following end of the second and fourth calendar quarters.

(f) The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations made using Method 9 to demonstrate compliance with §60.672(b), (c), and (f), and reports of observations using Method 22 to demonstrate compliance with §60.672(e).

(g) The owner or operator of any screening operation, bucket elevator, or belt conveyor that processes saturated material and is subject to §60.672(h) and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the 10 percent opacity limit in §60.672(b) and the emission test requirements of §60.11 and this subpart. Likewise a screening operation, bucket elevator, or belt conveyor that processes unsaturated material but subsequently processes saturated material shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the no visible emission limit in §60.672(h).

(h) The subpart A requirement under §60.7(a)(2) for notification of the anticipated date of initial startup of an affected facility shall be waived for owners or operators of affected facilities regulated under this subpart.

(i) A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.

(1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The

notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

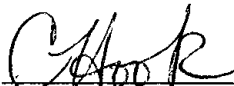
(2) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant.

(j) The requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected facilities within the State will be relieved of the obligation to comply with the reporting requirements of this section, provided that they comply with requirements established by the State.

[51 FR 31337, Aug. 1, 1985, as amended at 54 FR 6680, Feb. 14, 1989; 62 FR 31360, June 9, 1997; 65 FR 61778, Oct. 17, 2000]

CERTIFICATE OF SERVICE

I, Cynthia Hook, hereby certify that a copy of this permit has been mailed by first class mail to
Acme Brick Company - Fort Smith Plant, 2001 Old Greenwood Road, Fort Smith, AR, 72903,
on this 12th day of November, 2008.



Cynthia Hook, AAI, Air Division