

# ADEQ MINOR SOURCE AIR PERMIT

Permit #: 778-AR-10

IS ISSUED TO:

L'Oreal USA Products, Inc.  
11500 Maybelline Road  
North Little Rock, AR 72117  
Pulaski County  
AFIN: 60-00578

THIS PERMIT IS L'OREAL USA PRODUCTS, INC.'S AUTHORITY TO CONSTRUCT, MODIFY, OPERATE, AND/OR MAINTAIN THE EQUIPMENT AND/OR FACILITY IN THE MANNER AS SET FORTH IN THE DEPARTMENT'S MINOR SOURCE AIR PERMIT AND THE APPLICATION. THIS PERMIT IS ISSUED PURSUANT TO THE PROVISIONS OF THE ARKANSAS WATER AND AIR POLLUTION CONTROL ACT (ARK. CODE ANN. SEC. 8-4-101 *ET SEQ.*) AND THE REGULATIONS PROMULGATED THEREUNDER, AND IS SUBJECT TO ALL LIMITS AND CONDITIONS CONTAINED HEREIN.

Signed:

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Michael Bonds  
Chief, Air Division

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Date

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**L'Oreal USA Products, Inc.**  
**Permit #: 778-AR-10**  
**AFIN: 60-00578**

**Section I: FACILITY INFORMATION**

PERMITTEE: L'Oreal USA Products, Inc.

AFIN: 60-00578

PERMIT NUMBER: 778-AR-10

FACILITY ADDRESS: 11500 Maybelline Road  
North Little Rock, AR 72117

COUNTY: Pulaski

CONTACT POSITION: Keith Brown, Safety Manager – Engineering

TELEPHONE NUMBER: (501) 955-8595

FAX NUMBER: (501) 955-8484

REVIEWING ENGINEER: Ann Sudmeyer

UTM North-South (Y): Zone 15 [3849.0]

UTM East-West (X): Zone 15 [579.0]

## Section II: INTRODUCTION

### Summary

L'Oreal USA Products, Inc. (L'Oreal) manufactures and distributes cosmetics at 11500 Maybelline Road, North Little Rock, Arkansas 72117. This de minimis modification is necessary to:

- Change the words “amount of Shell Sol” in Specific Condition #8 to “amount of non-HAP Organic Solvent”;
- To add “To demonstrate compliance with the annual emission limits for SN-09 and SN-10,” to Specific Condition #8; and
- To correct the annual NO<sub>x</sub> emission rate limit in the Total Allowable Emissions Table.

### Process Description

L'Oreal USA Products, Inc. produces a variety of cosmetic products that include powder make-ups, liquid make-ups, mascara, and lipsticks. These products are mixed according to specific formulae. Raw materials including talc, mica, pigments, etc., arrive at the facility by truck and are unloaded at the receiving dock. All raw materials are inspected or analyzed and compared to established standards. After approval, the raw materials are moved to the warehouse where they are stored until needed. The ingredients are pre-weighed in a specific area known as the weigh room. The weigh room contains local exhaust ventilation provided to keep air contaminants below permissible levels and to prevent cross contamination of raw materials (SN-04). After weighing, the raw materials are transferred to mixing areas where the final products are formulated. After formulation the various products are either stored or piped to the packaging areas where the product containers are filled and packaged for shipping.

#### Powder Product Manufacturing

Once the powder products are mixed in bulk, they are stored in drums and, when needed, transported to filling areas for pressing into cakes or filling loose powder containers. The individual cakes are assembled in compact assembly areas prior to packaging. The central HVAC system provides ventilation for all weighing, milling, pressing, filling, assembly, and cleaning of powder products (SN-5A, B, C, D and E).

#### Liquids Manufacturing

Liquids manufacturing includes all water and other solvent based products, such as, mascara, liquid makeup, eye makeup remover, eye liner, etc. Raw materials from the weigh room are moved to the compounding area for mixing. The majority of the finished products are piped directly to the filling lines where individual products are filled and packaged prior to shipping. All emissions are considered fugitive and consist of trace amounts of VOCs. All fugitive emissions are collected by the central HVAC system.

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The facility has a mascara production system that includes two mixing vessels, an overhead condenser, and vacuum system. The two mixing vessels consist of a 1,500 liter processing vessel and a 1,000 liter phase vessel. The processing vessel is the primary mixing vessel used for mascara production and operates under a vacuum. The vessel initially contains an organic solvent (petroleum distillate or specially denatured alcohol, depending on the specific formula being manufactured) that is heated during the production process. As the desired mixing temperatures are achieved, additional raw material is fed to the vessel by induction. Induction feeding uses a vacuum system to introduce the raw materials into the processing vessel causing an increase in pressure and an increase in oxygen concentration. As the oxygen concentration increases, explosion risk is increased, thus requiring the removal of excess oxygen from the processing vessel. To decrease the explosion risk, the vapor inside the vessel is sampled throughout the process to determine the oxygen concentration. If the oxygen concentration is greater than 0.5%, a nitrogen purge is initiated, removing the excess oxygen, nitrogen and VOCs. This gas/vapor mixture is then passed through an overhead condenser (SN-33) to condense the VOCs and return as much solvent as possible to the vessel. The efficiency of the condenser is 60% to 80%. The remaining gas/vapors are removed from the building using an in-line fan. Once the oxygen concentration is below 0.5%, the nitrogen purge is stopped and a vacuum is reestablished in the vessel. Following a purge and after achieving normal operating conditions, the induction process is repeated until all raw materials are transferred to the processing vessel. Once the entire manufacturing procedure is completed the vessel is emptied and cleaned using a spray/swab of petroleum distillate followed by hot water and detergent.

### Lipstick Manufacturing

Lipstick manufacturing includes all lipsticks, lip glosses, and cover sticks. Raw materials are mixed in the lipstick compounding department. The complete formulas are then transferred to plastic buckets where they harden. For products that are to be manufactured manually, the buckets are transferred to the lipstick molding tables where they are melted and poured into molds. The molds are placed on a cooling table to harden. Finished molded lipsticks are inserted manually into swivels and flamed prior to labeling and packaging. For all other products, the buckets are transferred to the reservoir on the automatic molding machine where the lipstick formula is melted and injected into molds. The mold table is chilled to harden the lipstick which is then inserted into the swivel and the lipstick is air ejected from the mold. The lipstick/swivel assembly is placed into a puck for transport through the flame section where it is flamed prior to labeling and packaging. The only emissions are fugitive and consist of trace amounts of flavors and fragrances. All fugitive emissions are collected by the central HVAC system.

### Nail Color Manufacturing

L'Oreal receives nail color in 55 gallon drums from another manufacturer. The drums are stored in Building III prior to transfer to the filling area. Drums are taken to the filling area and connected to explosion proof pumps to transfer nail color to the filling kettles. Individual nail color bottles are loaded onto the automatic filling lines for filling, capping, labeling and packaging. Acetone is used for all cleaning in this area. Filling lines are flushed with acetone

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from the acetone recovery unit. Flushing of the lines occurs under a custom hood to collect acetone vapors. After cleaning, all waste acetone is pumped via a closed system directly to the recovery tank of the acetone distillation unit. Emissions, which may also contains trace amounts of VOCs from nail enamel, occur from the building floor vents, the line hood, the recovery still, and enamel vacuum pump vents.

### SYMEX Foundation Production System

The SYMEX foundation/liquid make up production system includes two mixing vessels, an overhead condenser and vacuum system. The two mixing vessels consist of an 800 Liter processing vessel and a 560 Liter phase vessel. The processing vessel is the primary mixing vessel used for foundation production. The vessel initially contains mostly water that is heated during the production process. As the desired mixing temperatures are achieved, additional raw materials, some of which are considered volatile organics, are fed to the vessel by induction. Induction feeding uses a vacuum system to introduce the raw materials into the processing vessel. During an induction, room air can be introduced into the processing vessel, causing an increase in pressure and an increase in oxygen concentration. As the oxygen concentration increases, explosion risk is increased, thus requiring the removal of excess oxygen from the processing vessel. To decrease the explosion risk, the vapor inside the vessel is sampled throughout the process to determine the oxygen concentration. If the oxygen concentration is greater than 5%, a nitrogen purge is initiated, removing the excess oxygen, nitrogen and VOC's. This gas/vapor mixture is then passed through an overhead condenser to condense the VOC, returning the organic solvent back to the processing vessel, attempting to return as much solvent as possible to the formula. The remaining gases/vapors are removed from the building using an in line fan. Once the oxygen concentration is less than 5%, the purge is stopped. Following a purge and the establishment of normal operating conditions, the induction process is repeated until all raw materials are transferred to the processing vessel. Once the entire manufacturing procedure is completed, the vessel is emptied and cleaned using a caustic cleaning agent and a detergent followed by hot water. Any fugitive emissions are collected by the central HVAC system serving the room.

### **Regulations**

This facility is subject to regulation under the *Arkansas Air Pollution Control Code* (Regulation 18) and the *Regulations of the Arkansas Plan of Implementation for Air Pollution Control* (Regulation 19).

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The following table is a summary of the facility's total emissions.

**Table 1 - Total Allowable Emissions**

| <b>Total Allowable Emissions</b> |                        |            |
|----------------------------------|------------------------|------------|
| <b>Pollutant</b>                 | <b>Emissions Rates</b> |            |
|                                  | <b>lb/hr</b>           | <b>tpy</b> |
| PM                               | 7.1                    | 29.6       |
| PM <sub>10</sub>                 | 7.1                    | 29.6       |
| SO <sub>2</sub>                  | 8.6                    | 0.8        |
| VOC                              | 29.6                   | 89.2       |
| CO                               | 1.0                    | 4.0        |
| NO <sub>x</sub>                  | 2.4                    | 4.8        |
| Chlorine                         | 0.10                   | 0.10       |
| Acetone                          | 12.20                  | 37.80      |

### **Section III: PERMIT HISTORY**

Permit #778-A was issued to Maybelline for the incineration of off-spec products in a waste fired boiler.

Permit #778-AR-1 was issued on May 25, 1994. It covered several previously unpermitted sources (SN-02 through SN-13).

Permit #778-AR-2 was issued on March 21, 1995. It was issued to assign enforceable permit limits that would allow Maybelline to operate as a synthetic minor source.

Permit #778-AR-3 was issued on March 12, 1998. This permit allowed the addition of a vent in the Great Wear Make-up production area. It also allowed for the removal of the soap production area and updated the process description to account for previous minor modifications.

Permit #778-AR-4 was issued on June 2, 1998. It allowed for the addition of vents in the Great Wear Blush production area. This modification also removed the waste fired boiler (SN-01), paint booth (SN-12), and the waste fired boiler cooling tower (SN-16).

Permit #778-AR-5 was issued on July 20, 1999. It changed the name of the facility to Cosmair Cosmetics Corporation. It also allowed a change in the hours of operation of the two utility boilers (SN-02 & SN-03) and a redistribution of the emissions among the vents in the Nail Color Production areas (SN-05 A-E & SN-30). Also, SN-23 was removed.

Permit #778-AR-6 was issued on September 1, 1999 to Cosmair Cosmetics Corporation. The modification changes allowed a change in the hours of operation of SN-11A, B and C.

Permit #778-AR-7 was issued on January 30, 2002. The facility name was changed from Cosmair Cosmetics Corporation to L'Oreal USA Products, Inc. Emission point SN-29 and its associated equipment were retired; the insignificant activities list was updated to show two (2) hoods with vents at the welding operation; and a new mascara production process was added with a vent and condenser to control VOC emissions (SN 33). These changes reduced VOC emissions to 33.0 tons per year.

Permit #778-AR-8 was issued on December 10, 2002. The modification added a new foundation production process with a single new vent, which added 7.9 tpy of VOC emissions. The VOC limit for the facility was increased to 40.0 tpy. The Utility Boilers (SN-01 and 02) and the three Diesel Fuel Storage Tanks (SN-08A, B and C) were moved to the Insignificant Activities list.

Permit #778-AR-9 was issued on October 8, 2004. This permitting action was necessary to: properly distinguish between the low and high VOC formulations manufactured in the UP1 and UP4 Process Areas; increase production of VOC formulations at SN-33 to 30,000 kg/month (High VOC) and 100,000 kg/month (Low VOC); create an emission bubble (SN-33) for the UP1 and UP4 equipment (formerly SN-31, SN-33, and SN-34); move the HVAC Baghouse Dust Hopper (SN-04) and two additional HVAC system to Insignificant activities; remove the



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Packaging Exhaust Fan (SN-11); remove the Tray Wash Vent (SN-22); install three additional Nail Enamel Production Lines (SN-05D thru SN-05F); bubble the emissions for the Nail Enamel Production Lines; update wet cooling tower sources and emissions; update the insignificant activity list to include miscellaneous existing activities; and remove two existing 8.4 MMBtu/hr utility boilers from the insignificant activity list and re-designated as SN-02 and SN-03. These boilers have the potential to emit for SO<sub>2</sub> of 8.52 lb/hr or 37.3 tpy when combusting distillate fuel oil. Prior to being placed on the Insignificant Activities list, the boilers were limited to 0.4 tpy SO<sub>2</sub>. A limit on distillate fuel usage (Specific Conditions #10, #11, and #12) was established in order to limit SO<sub>2</sub> emissions from the boilers. Therefore, the boilers should never have been placed on the Insignificant Activities list. As a result of these modifications, permitted PM/PM<sub>10</sub>, SO<sub>2</sub>, VOC, CO, and NO<sub>x</sub> increased by 12.4 tpy, 0.8tpy, 49.2tpy, 4.0 tpy, and 4.8tpy, respectfully. Permitted HCl decreased by 0.10 tpy.

**Section IV: EMISSION UNIT INFORMATION**

**Specific Conditions**

1. The permittee will not exceed the emission rates set forth in the following table. [§19.501 *et seq.* of the Regulations of the Arkansas Plan of Implementation for Air Pollution Control, effective December 19, 2004, (Regulation 19) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

**Table 2 - Criteria Pollutants**

| SN                                     | Description  | Pollutant        | lb/hr | tpy  |
|--|--|------------------|-------|------|
| 02                                     | Distillate Fuel and Natural Gas<br>Fired Utility Boiler #1<br>(8.4 MMBtu/hr) | PM <sub>10</sub> | 0.2   | 0.2  |
|  |  | SO <sub>2</sub>  | 4.3   | 0.4  |
|  |  | VOC              | 0.1   | 0.3  |
|  |  | CO               | 0.5   | 2.0  |
|  |  | NO <sub>x</sub>  | 1.2   | 2.4  |
| 03                                     | Distillate Fuel and Natural Gas<br>Fired Utility Boiler #2<br>(8.4 MMBtu/hr) | PM <sub>10</sub> | 0.2   | 0.2  |
|  |  | SO <sub>2</sub>  | 4.3   | 0.4  |
|  |  | VOC              | 0.1   | 0.3  |
|  |  | CO               | 0.5   | 2.0  |
|  |  | NO <sub>x</sub>  | 1.2   | 2.4  |
| 05A<br>05B<br>05C<br>05D<br>05E<br>05F | Nail Enamel Production Lines<br>#80, #82, #83, #84, #85, #86                 | VOC              | 3.4   | 10.5 |
| 09                                     | Non-HAP Organic Solvent Tank<br>(12,000 gal)                                 | VOC              | 0.1   | 0.2  |
| 10                                     | Non-HAP Organic Solvent Tank<br>(16,000 gal)                                 | VOC              | 0.1   | 0.2  |
| 17A<br>17B<br>17C<br>17D<br>17E        | Cooling Towers   | PM <sub>10</sub> | 2.0   | 8.8  |
| 2.0                                    |  |                  | 8.8   |      |
| 0.3                                    |  |                  | 1.4   |      |
| 0.5                                    |  |                  | 2.2   |      |
| 1.8                                    |  |                  | 7.9   |      |
| 19                                     | Kiwi Printer Plate Maker Vent  | VOC              | 1.8   | 1.7  |
| 20                                     | Equalization Tank  | VOC              | 1.0   | 4.4  |
| 24                                     | Reverse Osmosis Unit Cleaning<br>Tank  | PM <sub>10</sub> | 0.1   | 0.1  |
| 27A<br>27B<br>27C                      | Nail Color Vacuum Vents (3)  | VOC              | 0.1   | 0.1  |

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| SN | Description                  | Pollutant | lb/hr | tpy  |
|----|------------------------------|-----------|-------|------|
| 33 | Volatile Formulation Systems | VOC       | 22.9  | 71.5 |

- The permittee will not exceed the emission rates set forth in the following table. [§18.801 of the Arkansas Air Pollution Control Code, effective February 15, 1999 (Regulation 18) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311].

**Table 3 – Non-Criteria Pollutants**

| SN                                     | Description   | Pollutant      | lb/hr                           | tpy                             |
|--|---|----------------|---------------------------------|---------------------------------|
| 02                                     | Distillate Fuel and Natural Gas<br>Fired Utility Boiler #1<br>(8.4 MMBtu/hr)  | PM             | 0.2                             | 0.2                             |
| 03                                     | Distillate Fuel and Natural Gas<br>Fired Utility Boiler #2<br>(8.4 MMBtu/hr)  | PM             | 0.2                             | 0.2                             |
| 05A<br>05B<br>05C<br>05D<br>05E<br>05F | Nail Enamel Production Lines<br>#80, #82, #83, #84, #85, #86<br>Exhaust Vents | Acetone        | 12.1                            | 37.6                            |
| 07                                     | Acetone Tank Vent (2)   | Acetone        | 0.1                             | 0.2                             |
| 17A<br>17B<br>17C<br>17D<br>17E        | Cooling Towers  | PM             | 2.0<br>2.0<br>0.3<br>0.5<br>1.8 | 8.8<br>8.8<br>1.4<br>2.2<br>7.9 |
| 24                                     | Reverse Osmosis Unit<br>Cleaning Tank   | PM<br>Chlorine | 0.1<br>0.1                      | 0.1<br>0.1                      |

- The permittee will not cause or permit the emission 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. [§18.801 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-31]
- The permittee will not conduct operations in such a manner as to unnecessarily cause air contaminants and other pollutants to become airborne. [§18.901 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
- The permittee shall not emit more than 71.5 tons of VOCs from SN-33 produce in any consecutive 12 month period. [Regulation No. 19 §19.501 *et seq.* effective December 19, 2004, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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6. The permittee shall maintain monthly records of the amount of VOC emitted from SN-33 based on mass balance calculations. These records shall be kept on site in a spreadsheet or other well organized format, updated by the 15<sup>th</sup> of the month following the month to which the records pertain, and be made available to Department personnel upon request. [Regulation No. 19 §19.705, 40 CFR Part 52, Subpart E, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
7. The amount of acetone purchased by this facility shall not exceed 25 (55 gallon) drums per month based on a 12 month rolling average. The permittee shall maintain records of the amount of acetone purchased. These records shall be kept on site and made available to Department personnel upon request. [Regulation No. 18 §18.1004 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
8. To demonstrate compliance with the annual emission limits for SN-09 and SN-10, the amount of non-HAP organic solvent purchased by this facility shall not exceed 8300 gallons per month based on a rolling 12 month average. The permittee shall maintain records of the amount of non-HAP organic solvent purchased. The vapor pressure of the non-HAP organic solvent shall not exceed 0.58 mmHg. The permittee shall keep records of the vapor pressure of all non-HAP organic solvents. All records shall be kept on site and made available to Department personnel upon request. [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]
9. The permittee shall not produce more than 5.8 million bottles of nail enamel at (SN-05A thru F) per month. The permittee shall maintain records of the number of bottles of nail enamel produced. These records shall be kept on a monthly basis and updated by the 15<sup>th</sup> day of the month following the month for which the records pertain. These records shall be maintained on site and made available to Department personnel upon request. [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]
10. The permittee shall not use more than 10,080 gallons of distillate oil used as fuel per utility boiler per consecutive twelve month period. The permittee shall maintain records of the amount of diesel fuel burned as fuel at each of these sources. These records shall be maintained on a monthly basis and updated by the 15<sup>th</sup> day of the month following the month for which the records are valid. These records shall be kept on site and made available to Department personnel upon request. [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]
11. The sulfur content of the distillate oil used as fuel in the utility boilers shall not exceed 0.5% by weight. The sulfur content shall be verified by testing or vendor's written guarantee for each shipment of fuel oil received at the site. The permittee shall maintain a record of each fuel shipment and the associated fuel content. These records shall be updated with each shipment, maintained on site and made available to Department personnel upon request. [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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12. The permittee shall operate the Utility Boilers with only pipeline quality natural gas when not burning distillate oil. [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]

**Section V: INSIGNIFICANT ACTIVITIES**

The Department deems the following types of activities or emissions as insignificant on the basis of size, emission rate, production rate, or activity in accordance with Group A of the Insignificant Activities list found in Regulation 18 and 19 Appendix A. Insignificant activity emission determinations rely upon the information submitted by the permittee in an application dated May 7, 2004.

**Table 4 - Insignificant Activities**

| Description  | Category     |
|--|--------------|
| Welding Shop- (2) hoods with vents                   | Group A, # 7 |
| Liquid Filling Puck Room Vent                        | Group A, #13 |
| Liquid Filling Puck Room Vent                        | Group A, #13 |
| Auxiliary Diesel Fuel Storage Tank                   | Group A, #3  |
| Boiler Room Diesel Storage Tank                      | Group A, #3  |
| Diesel Storage Tank Shipping                         | Group A, #3  |
| HVAC Baghouses (formerly SN-04 A/B/C)                | Group A, #13 |
| Packaging Vents (formerly SN-32 A/B)                 | Group A, #13 |
| Caustic Storage Tanks                                | Group A, #4  |
| Aliphatic Hydrocarbon Cleaning Solution Storage Tank | Group A, #2  |
| General Cleaning Solution (Isopropyl Alcohol)        | Group A, #13 |
| Pre-weigh Room Vent                                  | Group A, #13 |
| Organics Room Vent                                   | Group A, #13 |

## Section VI: GENERAL CONDITIONS

1. Any terms or conditions included in this permit that 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 that 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.
2. This permit does not relieve the owner or operator of the equipment and/or the facility from compliance with all applicable provisions of the Arkansas Water and Air Pollution Control Act and the regulations promulgated under the Act. [A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
3. The permittee will notify the Department in writing within thirty (30) days after commencement of construction, completion of construction, first operation of equipment and/or facility, and first attainment of the equipment and/or facility target production rate. [§19.704 of the Regulations of the Arkansas Plan of Implementation for Air Pollution Control (Regulation 19) and/or A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
4. Construction or modification must commence within eighteen (18) months from the date of permit issuance. [§19.410(B) of Regulation 19 and/or §18.309(B) of the Arkansas Air Pollution Control Code (Regulation 18) and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
5. The permittee must keep records for five years to enable the Department to determine compliance with the terms of this permit--such as hours of operation, throughput, upset conditions, and continuous monitoring data. The Department may use the records, at the discretion of the Department, to determine compliance with the conditions of the permit. [§19.705 of Regulation 19 and/or §18.1004 of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
6. A responsible official must certify any reports required by any condition contained in this permit and submit any reports to the Department at the address below. [§19.705 of Regulation 19 and/or §18.1004 of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

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

7. The permittee will 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) newly constructed or 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) existing equipment already operating according to the time frames set forth by the Department. 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 must submit compliance test results to the Department within thirty (30) days after the completion of testing. [§19.702 of Regulation 19 and/or §18.1002 of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
8. The permittee will provide: [§19.702 of Regulation 19 and/or §18.1002 of Regulation 18 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
9. The permittee will operate equipment, control apparatus and emission monitoring equipment within their design limitations. The permittee will maintain in good condition at all times equipment, control apparatus and emission monitoring equipment. [§19.303 of Regulation 19 and/or §18.1104 of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
10. If the permittee exceeds an emission limit established by this permit, the permittee will be deemed in violation of said permit and will be subject to enforcement action. The Department may forego enforcement action for emissions exceeding any limits established by this permit provided the following requirements are met: [§19.601 of Regulation 19 and/or §18.1101 of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
  - a. The permittee demonstrates to the satisfaction of the Department that the emissions resulted from an equipment malfunction or upset and are not the result of negligence or improper maintenance, and the permittee took all reasonable measures to immediately minimize or eliminate the excess emissions.



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- b. The permittee reports the occurrence or upset or breakdown of equipment (by telephone, facsimile, or overnight delivery) to the Department by the end of the next business day after the occurrence or the discovery of the occurrence.
  - c. The permittee must submit to the Department, within five business days after the occurrence or the discovery of the occurrence, a full, written report of such occurrence, including a statement of all known causes and of the scheduling and nature of the actions to be taken to minimize or eliminate future occurrences, including, but not limited to, action to reduce the frequency of occurrence of such conditions, to minimize the amount by which said limits are exceeded, and to reduce the length of time for which said limits are exceeded. If the information is included in the initial report, the information need not be submitted again.
11. The permittee shall allow representatives of the Department upon the presentation of credentials: [A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
  - a. To enter upon the permittee's premises, or other premises under the control of the permittee, where an air pollutant source is located or in which any records are required to be kept under the terms and conditions of this permit;
  - b. To have access to and copy any records required to be kept under the terms and conditions of this permit, or the Act;
  - c. To inspect any monitoring equipment or monitoring method required in this permit;
  - d. To sample any emission of pollutants; and
  - e. To perform an operation and maintenance inspection of the permitted source.
12. The Department issued this permit in reliance upon the statements and presentations made in the permit application. The Department has no responsibility for the adequacy or proper functioning of the equipment or control apparatus. [A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
13. The Department may revoke or modify this permit when, in the judgment of the Department, such revocation or modification is necessary to comply with the applicable provisions of the Arkansas Water and Air Pollution Control Act and the regulations promulgated the Arkansas Water and Air Pollution Control Act. [§19.410(A) of Regulation 19 and/or §18.309(A) of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
14. This permit may be transferred. An applicant for a transfer must submit a written request for transfer of the permit on a form provided by the Department and submit the disclosure statement required by Arkansas Code Annotated §8-1-106 at least thirty (30) days in advance of the proposed transfer date. The permit will be automatically transferred to the new permittee unless the Department denies the request to transfer within thirty (30) days of

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the receipt of the disclosure statement. The Department may deny a transfer on the basis of the information revealed in the disclosure statement or other investigation or, deliberate falsification or omission of relevant information. [§19.407(B) of Regulation 19 and/or §18.307(B) of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

15. This permit shall be available for inspection on the premises where the control apparatus is located. [A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
16. This permit authorizes only those pollutant emitting activities addressed herein. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
17. This permit supersedes and voids all previously issued air permits for this facility. [Regulation 18 and 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
18. The permittee must pay all permit fees in accordance with the procedures established in Regulation No. 9. [A.C.A §8-1-105(c)]