

ADEQ OPERATING AIR PERMIT

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

Permit No. :996-AOP-R3

Renewal #1

IS ISSUED TO:

Baldor Electric Co.

5711 S. Boreham Jr. St.

Fort Smith, AR 72901

Sebastian County

AFIN: 66-00041

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:

August 24, 2005

AND

August 23, 2010

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

Signed:

Mike Bates
Chief, Air Division

Date

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List of Acronyms and Abbreviations

A.C.A.	Arkansas Code Annotated
AFIN	ADEQ Facility Identification Number
CFR	Code of Federal Regulations
CO	Carbon Monoxide
HAP	Hazardous Air Pollutant
lb/hr	Pound Per Hour
MVAC	Motor Vehicle Air Conditioner
No.	Number
NO _x	Nitrogen Oxide
PM	Particulate Matter
PM10	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: Baldor Electric Co.

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PERMIT NUMBER: 996-AOP-R3

FACILITY ADDRESS: 5711 S. Boreham Jr. St.
Fort Smith, AR 72901

MAILING ADDRESS: 5711 S. Boreham Jr. St.
Fort Smith, Arkansas 72901

COUNTY: Sebastian

CONTACT POSITION: Jose Shores, Corporate Facilities Engineer

TELEPHONE NUMBER: (479) 649-5211

REVIEWING ENGINEER: Derrick L. Brown

UTM North South (Y): Zone 15: 3911.0

UTM East West (X): Zone 15: 369.7

SECTION II: INTRODUCTION

Summary of Permit Activity

Baldor Electric Company, located at 5711 R. S. Boreham Jr. St. in Fort Smith, AR, manufactures electric motors for industrial use. This modification adds an encapsulation room to the insignificant activities list and an additional varnish line that will be bubbled into the SN-01 emissions. This modification also removes diethylene glycol monobutyl ether (DGME) emissions from SN-01. DGME will no longer be a constituent of the varnish used for this line. The net result will be an increase in VOC emissions of 16.4 tons per year.

Process Description

Motor components are made in other Baldor plants or supplied by vendors. These are: steel laminations, magnet wire, shaft stock, bands (steel, aluminum, and cast iron), bases, rotor cores, end plates, fans, bearings, conduit boxes and lids, insulators, retaining rings, screws, etc. Manufacturing operations include: cutting and machining shafts; machining, drilling and tapping bands, end plates and other parts; winding magnet wire and connecting leads; varnishing; assembly; painting; electrical and mechanical testing; packaging; and shipping.

Inserting insulators and winding magnet wire on stacked laminations is the first step in stator formation. This “stator core” is forced into a steel band to which a base and a conduit box have been welded. Wire leads are connected by brazing. The magnet wire is insulated and locked in place by impregnation with varnish to form the STATOR. The moving component of the eventual motor, the ROTOR, begins as a steel round stock which is cut and machined to form the motor shaft, and then forced into an aluminum/steel casting, the rotor core. A fan is spot-welded to the shaft, and the finished rotor receives a primer coating at paint booth SN-7. Lathes, drills and tapping machines prepare parts such as endplates for final assembly.

In the assembly area the rotor is inserted in its corresponding stator, and the other parts (bearings, endplates, etc.) are attached. Along the way several electrical and mechanical tests are performed. The finished motor is next moved to the main paint booth complex in Building #2 where 95% of the plant’s entire paint use is applied with HVLP spray equipment (SN-A).

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Regulations

The following table contains the regulations applicable to this permit.

Regulations
Arkansas Air Pollution Control Code, Regulation 18, effective February 15, 1999
Regulations of the Arkansas Plan of Implementation for Air Pollution Control, Regulation 19, effective May 28, 2006
Regulations of the Arkansas Operating Air Permit Program, Regulation 26, effective September 26, 2002
40 CFR Part 63 Subpart M – <i>National Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products</i>

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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

EMISSION SUMMARY				
Source Number	Description	Pollutant	Emission Rates	
			lb/hr	tpy
Total Allowable Emissions		PM	0.1	0.5
		PM ₁₀	0.1	0.5
		SO ₂	0.1	0.5
		VOC	165.1	205.2
		CO	0.4	1.8
		NO _x	0.4	1.8
HAPs		Total Painting HAP*	119.0	145.5
A	Spray Painting Operations	VOC	119.0	145.5
		Total Painting HAP ^{*,1}	119.0	145.5
01	Varnish Application and Baking System	PM	0.1	0.5
		PM ₁₀	0.1	0.5
		SO ₂	0.1	0.5
		VOC	46.1	43.3
		CO	0.4	1.8
		NO _x	0.4	1.8

*HAPs included in the VOC totals.

1 – See Specific Condition #4 for details

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SECTION III: PERMIT HISTORY

The original air permit for the Fort Smith facility of Baldor Electric Company was issued on November 2, 1990. The next permit, 996-AR-1, added several additional stacks that were omitted from the original application, removed two sources that were no longer in use, and relocated and modified several sources. The permit itemized 25 separate sources. However, all of these were insignificant sources of emission except for the paint spraying operations and the electrical varnish dipping and baking operation. The permit limited VOCs to 165.3 tpy, and particulates to 30.2 tpy.

The annual emission report for 1996 listed 27,858 gallons of paint, 3,795 gallons of thinner, and 26,290 gallons of electrical varnish. Approximately 4% of the paint and 80% of the thinner are shipped off-site as waste from the operation, leaving actual emissions at 98.8 tpy for 1996.

There was no separate accounting of hazardous air pollutants, which account for 66% of the VOCs emitted, based on 1996 paint usage and composition. Hours of operation were limited to 5,760 hours per year, and the permittee was required to investigate lower VOC painting technologies. Specific limitations restricted total paint and varnish consumption to 75,912 gallons total. Restrictions were also placed on natural gas consumption and welding wire usage.

Permit no. 0996-AOP-R0 was issued to Baldor Electric Co. on September 23, 1999. This was the initial Title V Operating Air Permit for this existing facility. With this permit, allowable usage of paints increased to 63,140 gal/year and allowable varnish solids usage increased to 290,000 lb/year (dry basis). Overall emissions were quantified at: 8.9 tpy PM/PM₁₀, 1.0 tpy SO₂, 189.3 tpy VOC, 1.0 tpy CO, 3.6 tpy NO_x, 30.9 tpy of diethylene glycol monobutyl ether (DGME), and 145.5 tpy of other volatile hazardous air pollutants (HAPs).

Permit No. 996-AOP-R1 was issued to the facility on February 11, 2003. This modification was issued in order to allow for the continued operation of the SN-06 paint booth, which had been previously removed from the permit by an administrative amendment. There were no changes in emissions or method of operation at the facility from permit no. 996-AOP-R0.

Permit No. 966-AOP-R2 was issued to the facility on August 24, 2005. This modification moved sources SN-14, SN-15, SN-18 and SN-23 (former SN-B sources with a total rating of 3.93 MMBTU/hr) to the insignificant activity list. Three diesel-fired electrical generators and the test station for propane powered generator prototypes were also added to the insignificant activities list. VOC and HAP emissions from SN-A and SN-01 were increased to represent worst-case scenario for the facility. PM/PM₁₀ emissions were removed from SN-A. Finally, various small emission changes were made related to changes in emission factors.

SECTION IV: SPECIFIC CONDITIONS

SN-A

Spray Painting Operations

(SN-02, SN-03, SN-04, SN-05, SN-06, SN-07, SN-08, SN-09, SN-10, SN-11, SN-12, SN-13)

Source Description

SN-A is a “bubble” source that includes all of the paint spray booths and the paint ovens for accelerated drying of the coated parts at the facility. Lacquers, paints, activators, and thinners are utilized at these various sources. The individual sources of SN-A include:

- The high volume-low pressure conventional spraying booths, SN-02 through SN-06, and SN-21 in building #2;
- The three electric IR drying ovens associated with the painting operations, which are designated SN-08, SN-09, and SN-10 in building #2;
- The service department (which repairs motors) in building #6 has two paint booths (SN-11 and SN-12) where grinding bases and repaired motors are painted on an intermittent basis;
- The paint booth (SN-07) in building #5 which is used to prime rotors; and,
- Paint Booth SN-13 which is primarily utilized for maintenance projects.

Specific Conditions

1. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #3 and #6. [Regulation 19, §19.501 et seq., effective May 28, 2006 and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
VOC	119.0	145.5

2. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #4 and #7. [Regulation 18, §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
Total HAP ¹	119.0	145.5

¹ See Specific Condition #4

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3. The permittee shall not use any paints or solvents at any source included in SN-A which contain VOC in excess of 7.0 lb/gal. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR §70.6]
4. The permittee shall not use any paints or solvents at any source included in SN-A which contain HAPs in excess of the amounts indicated in the following table for the given TLV. [§18.1004 of Regulation 18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Minimum TLV (mg/m ³)	Maximum HAP Content (lb/gal)
190.4	7.0
171.4	6.3
152.3	5.6
133.2	4.9
114.2	4.2
95.2	3.5
76.1	2.8
57.1	2.1
38.0	1.4
19.0	0.7
9.5	0.35
1.9	0.07

5. The permittee shall maintain MSDS or other records which indicate the VOC and/or HAP content of all paints and solvents in use at the sources which comprise SN-A. These records shall be maintained on-site and shall be made available to Department personnel upon request. [§19.705 of Regulation 19 and 40 CFR Part 52 Subpart E and/or §18.1004 of Regulation 18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
6. The permittee shall maintain monthly records which demonstrate the amount of VOC emitted from the sources included in SN-A. These records shall be maintained in a spreadsheet, database, or other well-organized format. These records shall indicate the amount of each paint or solvent used, the corresponding VOC content of each paint and solvent, and the total amount of VOC emissions from paint and solvent usage. Each individual month's data and a 12-month rolling total shall be maintained on-site, shall be made available to Department personnel upon request, and shall be submitted in accordance with General Provision #7. [§19.705 of Regulation 19 and 40 CFR Part 52 Subpart E]
7. The permittee shall maintain monthly records which demonstrate the amount of HAP emitted from the sources included in SN-A. These records shall be maintained in a

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spreadsheet, database, or other well-organized format. These records shall indicate the amount of each paint or solvent used, the corresponding HAP content of each paint and solvent, and the total amount of HAP emissions from paint and solvent usage. Each individual month's data and a 12-month rolling total shall be maintained on-site, shall be made available to Department personnel upon request, and shall be submitted in accordance with General Provision #7. [§18.1004 of Regulation 18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

SN-01

Varnish Application and Baking System

Source Description

SN-01 vents solvent emissions from the application of an electrical varnish to the wound magnet wire. The end turn treatment varnish line (second line) will accommodate large frame motors. Natural gas is used as the exclusive fuel in the oven, where dipped motors are baked at 350°F to complete the chemical reaction. The oven is rated at 4.0 MMBtu/hr.

Specific Conditions

8. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #10, #11, and #13. [Regulation 19, §19.501 et seq. and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM ₁₀	0.1	0.5
SO ₂	0.1	0.5
VOC	61.7	59.7
CO	0.4	1.8
NO _x	0.4	1.8

9. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #10, and #14. [Regulation 18, §18.801, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	0.1	0.5

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10. Visible emissions may not exceed the limits specified in the following table of this permit as measured by EPA Reference Method #9. Compliance with this condition shall be demonstrated by Compliance with Specific Condition #14.

SN	Limit	Regulatory Citation
01	5%	18.501

11. The permittee shall not use any varnish at SN-1 which contains VOC in excess of 2.0 lb/gal. [§19.705 of Regulation 19, 40 CFR §70.6, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
12. The permittee shall maintain MSDS or other records which demonstrate compliance with the formulation limits found in Specific Conditions #11. These records shall be maintained on-site and shall be made available to Department personnel upon request. [§19.705 of Regulation 19 and 40 CFR Part 52, Subpart E and/or §18.1004 of Regulation 18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
13. The permittee shall maintain monthly records which demonstrate the amount of VOC emitted from SN-1. These records shall be maintained in a spreadsheet, database, or other well-organized format. These records shall indicate the amount of each varnish used, the corresponding VOC content, and the total amount of VOC emissions from varnish usage. Each individual month's data and a 12-month rolling total shall be maintained on-site, shall be made available to Department personnel upon request, and shall be submitted in accordance with General Provision #7. [§19.705 of Regulation 19 and 40 CFR Part 52 Subpart E]
14. Pipeline-quality natural gas shall be the only fuel combusted at SN-01. [§19.705 of Regulation 19, 40 CFR §70.6, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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SECTION V: COMPLIANCE PLAN AND SCHEDULE

Baldor Electric Co. will continue to operate in compliance with those identified regulatory provisions. The facility will examine and analyze future regulations that may apply and determine their applicability with any necessary action taken on a timely basis.

SECTION VI: PLANTWIDE CONDITIONS

1. The permittee shall notify the Director in writing within thirty (30) days after commencing construction, completing construction, first placing the equipment and/or facility in operation, and reaching the equipment and/or facility target production rate. [Regulation 19, §19.704, 40 CFR Part 52, Subpart E, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
2. If the permittee fails to start construction within eighteen months or suspends construction for eighteen months or more, the Director may cancel all or part of this permit. [Regulation 19, §19.410(B) and 40 CFR Part 52, Subpart E]
3. The permittee must test any equipment scheduled for testing, unless stated in the Specific Conditions of this permit or by any federally regulated requirements, within the following time frames: (1) new equipment or newly modified equipment within sixty (60) days of achieving the maximum production rate, but no later than 180 days after initial start up of the permitted source or (2) operating equipment according to the time frames set forth by the Department or within 180 days of permit issuance if no date is specified. The permittee must notify the Department of the scheduled date of compliance testing at least fifteen (15) days in advance of such test. The permittee shall submit the compliance test results to the Department within thirty (30) days after completing the testing. [Regulation 19, §19.702 and/or Regulation 18 §18.1002 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
4. The permittee must provide: [Regulation 19, §19.702 and/or Regulation 18, §18.1002 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
 - a. Sampling ports adequate for applicable test methods;
 - b. Safe sampling platforms;
 - c. Safe access to sampling platforms; and
 - d. Utilities for sampling and testing equipment.
5. The permittee must operate the equipment, control apparatus and emission monitoring equipment within the design limitations. The permittee shall maintain the equipment in good condition at all times. [Regulation 19, §19.303 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
6. This permit subsumes and incorporates all previously issued air permits for this facility. [Regulation 26 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
7. This facility is subject to and shall comply with all applicable provisions of 40 CFR Part 63 Subpart M – *National Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products*. A copy of Subpart M has been attached to this permit as Appendix A. [40 CFR §63.3881, §19.304 of Regulation 19, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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8. Prior to July 2, 2005 the facility shall submit an application to the Department which addresses all applicable requirements of 40 CFR Part 63 Subpart Mmmm – *National Emission Standards for Hazardous Air Pollutants: Surface Coating of Miscellaneous Metal Parts and Products*. The Department may extend this deadline by up to one year if so requested by the permittee. Such a request shall detail why such an extension is necessary and shall contain a schedule for compliance with the MACT rule and submittal of the required application. This request shall be received by the Department no later than the above date. [§26.1011(A)(1) of Regulation 26]

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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 May 25, 2006.

Description	Category
Welding Stations (SN-16, SN-20)	A-7
Wastewater Evaporator (SN-15R, natural gas-fired, 0.75 MMBtu/hr)	A-1
Endplate Washer (SN-22, water vapor only)	A-13
Burn-Off Oven (SN-18, natural gas-fired, 1.5 MMBtu/hr)	A-1
Electric Oven	A-13
Scrap Recovery Oven (SN-23, natural gas-fired, 0.043 MMBtu/hr)	A-1
Master Ring Heater (SN-25, Electric)	A-1
Aerosol Spray Booth	A-9
Three Emergency Use Diesel-Fired Generators (211 HP each) (To be fired no more than 300 hr/yr)	A-13
Epoxy Encapsulation Curing Oven (SN-28)	A-1

SECTION VIII: GENERAL PROVISIONS

1. Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 et seq.) as the sole origin of and authority for the terms or conditions are not required under the Clean Air Act or any of its applicable requirements, and are not federally enforceable under the Clean Air Act. Arkansas Pollution Control & Ecology Commission Regulation 18 was adopted pursuant to the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 et seq.). Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 et seq.) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute. [40 CFR 70.6(b)(2)]
2. This permit shall be valid for a period of five (5) years beginning on the date this permit becomes effective and ending five (5) years later. [40 CFR 70.6(a)(2) and §26.701(B) of the Regulations of the Arkansas Operating Air Permit Program (Regulation 26), effective August 10, 2000]
3. The permittee must submit a complete application for permit renewal at least six (6) months before permit expiration. Permit expiration terminates the permittee's right to operate unless the permittee submitted a complete renewal application at least six (6) months before permit expiration. If the permittee submits a complete application, the existing permit will remain in effect until the Department takes final action on the renewal application. The Department will not necessarily notify the permittee when the permit renewal application is due. [Regulation 26, §26.406]
4. Where an applicable requirement of the Clean Air Act, as amended, 42 U.S.C. 7401, et seq. (Act) is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, the permit incorporates both provisions into the permit, and the Director or the Administrator can enforce both provisions. [40 CFR 70.6(a)(1)(ii) and Regulation 26, §26.701(A)(2)]
5. The permittee must maintain the following records of monitoring information as required by this permit. [40 CFR 70.6(a)(3)(ii)(A) and Regulation 26, §26.701(C)(2)]
 - a. The date, place as defined in this permit, and time of sampling or measurements;
 - b. The date(s) analyses performed;
 - c. The company or entity performing the analyses;
 - d. The analytical techniques or methods used;
 - e. The results of such analyses; and
 - f. The operating conditions existing at the time of sampling or measurement.
6. The permittee must retain the records of all required monitoring data and support information for at least five (5) years from the date of the monitoring sample,

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measurement, report, or application. Support information includes all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [40 CFR 70.6(a)(3)(ii)(B) and Regulation 26, §26.701(C)(2)(b)]

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

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

8. The permittee 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,
 - 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

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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 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

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- along with a claim of confidentiality. [40 CFR 70.6(a)(6)(v) and Regulation 26, §26.701(F)(5)]
15. The permittee must pay all permit fees in accordance with the procedures established in Regulation 9. [40 CFR 70.6(a)(7) and Regulation 26, §26.701(G)]
 16. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes provided for elsewhere in this permit. [40 CFR 70.6(a)(8) and Regulation 26, §26.701(H)]
 17. If the permit allows different operating scenarios, the permittee shall, contemporaneously with making a change from one operating scenario to another, record in a log at the permitted facility a record of the operational scenario. [40 CFR 70.6(a)(9)(i) and Regulation 26, §26.701(I)(1)]
 18. The Administrator and citizens may enforce under the Act all terms and conditions in this permit, including any provisions designed to limit a source's potential to emit, unless the Department specifically designates terms and conditions of the permit as being federally unenforceable under the Act or under any of its applicable requirements. [40 CFR 70.6(b) and Regulation 26, §26.702(A) and (B)]
 19. Any document (including reports) required by this permit must contain a certification by a responsible official as defined in Regulation 26, §26.2. [40 CFR 70.6(c)(1) and Regulation 26, §26.703(A)]
 20. The permittee must allow an authorized representative of the Department, upon presentation of credentials, to perform the following: [40 CFR 70.6(c)(2) and Regulation 26, §26.703(B)]
 - a. Enter upon the permittee's premises where the permitted source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
 - b. Have access to and copy, at reasonable times, any records required under the conditions of this permit;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - d. As authorized by the Act, sample or monitor at reasonable times substances or parameters for assuring compliance with this permit or applicable requirements.
 21. The permittee shall submit a compliance certification with the terms and conditions contained in the permit, including emission limitations, standards, or work practices. The permittee must submit the compliance certification annually within 30 days following the last day of the anniversary month of the initial Title V permit. The permittee must also

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submit the compliance certification to the Administrator as well as to the Department. All compliance certifications required by this permit must include the following: [40 CFR 70.6(c)(5) and Regulation 26, §26.703(E)(3)]

- a. The identification of each term or condition of the permit that is the basis of the certification;
 - b. The compliance status;
 - c. Whether compliance was continuous or intermittent;
 - d. The method(s) used for determining the compliance status of the source, currently and over the reporting period established by the monitoring requirements of this permit;
 - e. and Such other facts as the Department may require elsewhere in this permit or by §114(a)(3) and §504(b) of the Act.
22. Nothing in this permit will alter or affect the following: [Regulation 26, §26.704(C)]
- 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]

APPENDIX A

APPENDIX B

APPENDIX C