



ARKANSAS

ENERGY & ENVIRONMENT

March 2, 2021

Via email to: jimhendren@hendrenplastics.com & First Class Mail

Jim Hendren
President/Owner
Hendren Plastics, Inc.
1607 Highway 72 SE
Gravette, AR 72736

Re: Notice of Final Permitting Decision; Permit No. 1290-AOP-R2

Dear Mr. Hendren,

After considering the application, any public comments, and other applicable materials as required by APC&EC Reg.8.211 and Ark. Code Ann. § 8-4-101 *et seq.*, this notice of final permitting decision is provided for:

Hendren Plastics, Inc.
1607 Highway 72 SE
Gravette, AR 72736

Permit Number: 1290-AOP-R2

Permitting Decision: approval with permit conditions as set forth in final Permit No. 1290-AOP-R2

Accessing the Permitting Decision and Response to Comments, if any:
<https://www.adeq.state.ar.us/downloads/WebDatabases/PermitsOnline/Air/1290-AOP-R2.pdf>.

Accessing the Statement of Basis:
<https://www.adeq.state.ar.us/downloads/WebDatabases/PermitsOnline/Air/1290-AOP-R2-SOB.pdf>.

The permitting decision is effective on the date stated in the attached Certificate of Service unless a Commission review has been properly requested under Arkansas Pollution Control & Ecology Commission's Administrative Procedures, Regulation No. 8, within thirty (30) days after service of this decision.

The applicant or permittee and any other person submitting public comments on the record may request an adjudicatory hearing and Commission review of the final permitting decisions as provided under Chapter Six of Regulation No. 8. Such a request shall be in the form and manner

required by Reg.8.603, including filing a written Request for Hearing with the Commission secretary at 3800 Richards Rd, North Little Rock, Arkansas 72117. If you have any questions about filing the request, please call the Commission at 501-682-7890.

This permit is your authority to construct, operate, and maintain the equipment and control apparatus as set forth in your application initially received on 8/11/2020.

Sincerely,

A handwritten signature in black ink, appearing to read "William K. Montgomery", with a long horizontal flourish extending to the right.

William K. Montgomery
Associate Director, Office of Air Quality, Division of Environmental Quality
5301 Northshore Drive, North Little Rock, AR 72118-5317

Enclosure: Certificate of Service
cc: lbowling@hsgec.com

CERTIFICATE OF SERVICE

I, Cynthia Hook, hereby certify that the final permit decision notice has been mailed by first class mail to Hendren Plastics, Inc., 1607 Highway 72 SE, Gravette, AR, 72736, on this 2nd day of March, 2021.

A handwritten signature in cursive script that reads "Cynthia Hook".

Cynthia Hook, AA, Office of Air Quality



DIVISION OF ENVIRONMENTAL QUALITY

OPERATING AIR PERMIT

PERMIT NUMBER: 1290-AOP-R2

IS ISSUED TO:

Hendren Plastics, Inc.
1607 Highway 72 SE
Gravette, AR 72736
Benton County
AFIN: 04-00313

PURSUANT TO THE REGULATIONS OF THE ARKANSAS OPERATING AIR PERMIT PROGRAM, REGULATION 26: 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:

March 2, 2021

AND

March 1, 2026

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

Signed:

A handwritten signature in black ink, appearing to read "William K. Montgomery", is written over a horizontal line.

William K. Montgomery
Associate Director, Office of Air Quality
Division of Environmental Quality

March 2, 2021

Date

Hendren Plastics, Inc.
Permit #: 1290-AOP-R2
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List of Acronyms and Abbreviations

| | |
|------------------|---|
| Ark. Code Ann. | Arkansas Code Annotated |
| AFIN | Arkansas DEQ Facility Identification Number |
| C.F.R. | 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: Hendren Plastics, Inc.

AFIN: 04-00313

PERMIT NUMBER: 1290-AOP-R2

FACILITY ADDRESS: 1607 Highway 72 SE
Gravette, AR 72736

MAILING ADDRESS: 1607 Highway 72 SE
Gravette, AR 72736

COUNTY: Benton County

CONTACT NAME: Jim Hendren

CONTACT POSITION: President/Owner

TELEPHONE NUMBER: (479) 787-6222

REVIEWING ENGINEER: Bart Patton

UTM North South (Y): Zone 15: 4031006.34 m

UTM East West (X): Zone 15: 371121.83 m

SECTION II: INTRODUCTION

Summary of Permit Activity

Hendren Plastics, Inc., located in Gravette, AR, operates a polystyrene foam molding plant.

At this revision, the facility renewed its Title V permit. The following changes were made:

- Specific Conditions, Plantwide Conditions, General Provisions and the Insignificant Activities sections were updated to the current standard wording.
- Plantwide Condition #7 and General Provision #27 were added because they are part of the current standard conditions, not because of any modifications requested as part of this revision.
- Specific Condition #3 was deleted because it is not currently part of the standard conditions used in Title V Permits.
- The process of hot wire cutting of EPS (expanded polystyrene foam) was evaluated for emissions at this R2 revision, but no emissions or conditions were changed.

Emissions at this revision were unchanged.

Process Description

Hendren Plastics, Inc. operates a polystyrene foam molding plant near Gravette, Arkansas. The process involves expanding polystyrene beads in a heated mold. Pentane gas is released from the melted polystyrene during the molding process (SN-01). Pentane is a volatile organic compound, but is not considered a hazardous air pollutant.

The polystyrene molding process, rather than an individual piece of equipment, is treated as SN-01 for air permitting purposes. Pentane/VOC emissions are accounted for by a mass balance, with the assumption that certain percentages of pentane may be lost during various steps but that all pentane contained in the polystyrene is lost by the end of the process.

Resin Delivery – Resin is delivered in 1,000-lb to 2,200-lb sacks. It arrives in either trailers or other containers, normally in amounts of approximately 40,000 pounds per load.

Resin Pre-Expansion – Resin is expanded in a pre-expander. The density of the resin is decreased from approximately 40 lb/ft³ to a range of .75 to 2.2 lb/ft³. Approximately 25% of the pentane is considered to have been released during this process.

Pre-Puff Curing – The material is aged for between 2 and 48 hours to allow pre-puff to stabilize by diffusing air into the expanded beads. Approximately 20% of the pentane that was originally present in the resin is considered to be released during this process.

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Pre-Puff Molding – The material is then transported to a mold. It is infused with steam to fuse the material together, forming a solid material. Approximately 15% of the pentane that was originally present in the resin is considered to be released during this process.

Polyethylene Shell Filling/Rotomolding – Some of the product is molded into polyethylene shells. This material is not fabricated. Once molded, the product is complete.

Block Curing – Blocks are stored for a minimum of 24 hours for curing and stabilization. Approximately 20% of the pentane that was originally present in the resin is considered to be released during this 24- to 48-hour period.

Cutting Fabrication – Blocks are removed from storage and cut using hot-wire equipment to various shapes and sizes, depending on the customer’s requirements. The remaining 20% of pentane is considered to be released during and after this process.

Shipping – Both contract shipping and company trucks are used to deliver the product to customers.

Regulations

The following table contains the regulations applicable to this permit.

| Regulations |
|---|
| Arkansas Air Pollution Control Code, Regulation 18, effective March 14, 2016 |
| Regulations of the Arkansas Plan of Implementation for Air Pollution Control, Regulation 19, effective October 10, 2019 |
| Regulations of the Arkansas Operating Air Permit Program, Regulation 26, effective March 14, 2016 |

Emission Summary

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 Number | Description | Pollutant | Emission Rates | |
| | | | lb/hr | tpy |
| Total Allowable Emissions | | VOC | 280.0 | 237.0 |
| SN-01 | Polystyrene Molding Process | VOC | 280.0 | 237.0 |

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SECTION III: PERMIT HISTORY

Permit # 1290-A was issued to Hendren Plastics, Inc. on February 10, 1992. Permit limits were 36.4 tons/year VOC.

Permit #1290-AR-1 was issued to Hendren Plastics, Inc. on November 27, 2000. This was the first modification for this facility. The modification allowed the facility to increase production at the facility, change the compliance assurance mechanism in the permit from a throughput limit to a material balance, and to add an existing boiler to the permit as an insignificant activity.

Permit #1290-AR-2 was issued to Hendren Plastics, Inc. on May 23, 2006. This was the second modification for this facility. The modification allowed the facility to increase production at the facility.

Permit #1290-AR-3 was issued on March 3, 2010. This administrative amendment was to note the addition of a 300 lb/hr-capacity Expanded Polystyrene (EPS) molding machine, and to note the addition of a 175-hp natural gas-fired boiler to the A-1 insignificant activities list. With the modification, the permitted VOC emissions remained unchanged.

Permit #1290-AOP-R0 was issued on April 12, 2011. The facility went from a minor source to a Title V facility by the installation of additional equipment, with an associated increase in production and permitted VOC emissions. The maximum pentane content of polystyrene resin (see Specific Condition #4) was increased to 7% from 6%, and the wording of Specific Condition #4 was changed (from “all expandable polystyrene resin” to “any expandable polystyrene resin”) to clarify this, in accordance with all MSDS data provided by the facility. VOC emissions at SN-01, the polystyrene molding process, were increased from 25.0 lb/hr to 280.0 lb/hr, and from 74.9 tpy to 237.0 tpy.

Permit #1290-AOP-R1 was issued on March 31, 2017. At this revision, the facility renewed its Title V permit. Emissions were unchanged.

SECTION IV: SPECIFIC CONDITIONS

SN-01

Polystyrene Molding Process

Source Description

The process involves expanding polystyrene beads in a heated mold.

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 Condition #3. [Reg.19.501 *et seq.* and 40 C.F.R. § 52 Subpart E]

| SN | Description | Pollutant | lb/hr | tpy |
|----|-----------------------------|-----------|-------|-------|
| 01 | Polystyrene Molding Process | VOC | 280.0 | 237.0 |

2. The permittee shall 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. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
3. The permittee shall not exceed a VOC (as pentane) content of 7% by weight for any expandable polystyrene resin used at the facility. The resin shall not contain any Hazardous Air Pollutant or Air Contaminant. [Reg.19.705, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 70.6]
4. The permittee shall maintain monthly records to demonstrate compliance with the ton per year limit in Specific Condition #1. [Reg.19.705 and 40 C.F.R. § 52 Subpart E]
 - a. A twelve-month rolling total of less than 237.0 tons of VOC shall be the basis for compliance.
 - b. Records shall consist of a material balance of emissions from the facility which shall be a summation by month of the polystyrene bead usage in the process (in tons) multiplied times the weight fraction of VOC in the beads as shown on the Safety Data Sheet (SDS).
 - c. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain.
 - d. The SDS, the twelve month rolling totals, and each individual month's data shall be maintained on-site, made available to Division of Environmental Quality personnel upon request, and submitted in accordance with General Provision #7.

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SECTION V: COMPLIANCE PLAN AND SCHEDULE

Hendren Plastics, Inc. 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. [Reg.19.704, 40 C.F.R. § 52 Subpart E, and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 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. [Reg.19.410(B) and 40 C.F.R. § 52 Subpart E]
3. The permittee must test any equipment scheduled for testing, unless otherwise 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 Division of Environmental Quality or within 180 days of permit issuance if no date is specified. The permittee must notify the Division of Environmental Quality of the scheduled date of compliance testing at least fifteen (15) business days in advance of such test. The permittee shall submit the compliance test results to the Division of Environmental Quality within sixty (60) calendar days after completing the testing. [Reg.19.702 and/or Reg.18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
4. The permittee must provide:
 - 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.

[Reg.19.702 and/or Reg.18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
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. [Reg.19.303 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
6. This permit subsumes and incorporates all previously issued air permits for this facility. [Reg. 26 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

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7. Unless otherwise specified in the permit, approval to construct any new major stationary source or a major modification subject to 40 C.F.R. § 52.21 shall become invalid if construction is not commenced within 18 months after receipt of such approval, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time. The Division of Environmental Quality may extend the 18-month period upon a satisfactory showing that an extension is justified.
[Reg. 19.901 *et seq.* and 40 C.F.R. § 52 Subpart E]

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SECTION VII: INSIGNIFICANT ACTIVITIES

The Division of Environmental Quality 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 Regulation 19 Appendix A. Group B insignificant activities may be listed but are not required to be listed in permits. Insignificant activity emission determinations rely upon the information submitted by the permittee in an application dated August 11, 2020. [Reg.26.304 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

| Description | Category |
|---------------------------------|----------|
| 150-hp Natural Gas Fired Boiler | A-1 |
| 175-hp Natural Gas Fired Boiler | 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 (Ark. Code Ann. § 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 (Ark. Code Ann. § 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 (Ark. Code Ann. § 8-4-101 *et seq.*) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute. [40 C.F.R. § 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 C.F.R. § 70.6(a)(2) and Reg.26.701(B)]
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 Division of Environmental Quality takes final action on the renewal application. The Division of Environmental Quality will not necessarily notify the permittee when the permit renewal application is due. [Reg.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 C.F.R. § 70.6(a)(1)(ii) and Reg.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.

[40 C.F.R. § 70.6(a)(3)(ii)(A) and Reg.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 C.F.R. § 70.6(a)(3)(ii)(B) and Reg.26.701(C)(2)(b)]
7. The permittee must submit reports of all required monitoring every six (6) months. If the permit establishes no other reporting period, the reporting period shall end on the last day of the month six months after the issuance of the initial Title V permit and every six months thereafter. The report is due on the first day of the second month after the end of the reporting period. The first report due after issuance of the initial Title V permit shall contain six months of data and each report thereafter shall contain 12 months of data. The report shall contain data for all monitoring requirements in effect during the reporting period. If a monitoring requirement is not in effect for the entire reporting period, only those months of data in which the monitoring requirement was in effect are required to be reported. The report must clearly identify all instances of deviations from permit requirements. A responsible official as defined in Reg.26.2 must certify all required reports. The permittee will send the reports electronically using <https://portal.adeq.state.ar.us> or mail them to the address below:

Division of Environmental Quality
Office of Air Quality
ATTN: Compliance Inspector Supervisor
5301 Northshore Drive
North Little Rock, AR 72118-5317

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

8. The permittee shall report to the Division of Environmental Quality all deviations from permit requirements, including those attributable to upset conditions as defined in the permit.
 - a. For all upset conditions (as defined in Reg.19.601), the permittee will make an initial report to the Division of Environmental Quality 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 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 Division of Environmental Quality 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.

[Reg.19.601, Reg.19.602, Reg.26.701(C)(3)(b), and 40 C.F.R. § 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 C.F.R. § 70.6(a)(5), Reg.26.701(E), and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 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 C.F.R. § 70.6(a)(6)(i) and Reg.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 C.F.R. § 70.6(a)(6)(ii) and Reg.26.701(F)(2)]
12. The Division of Environmental Quality 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 C.F.R. § 70.6(a)(6)(iii) and Reg.26.701(F)(3)]

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13. This permit does not convey any property rights of any sort, or any exclusive privilege. [40 C.F.R. § 70.6(a)(6)(iv) and Reg.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 Division of Environmental Quality may require the permittee to furnish such records directly to the Director along with a claim of confidentiality. [40 C.F.R. § 70.6(a)(6)(v) and Reg.26.701(F)(5)]
15. The permittee must pay all permit fees in accordance with the procedures established in Regulation 9. [40 C.F.R. § 70.6(a)(7) and Reg.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 C.F.R. § 70.6(a)(8) and Reg.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 C.F.R. § 70.6(a)(9)(i) and Reg.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 Division of Environmental Quality specifically designates terms and conditions of the permit as being federally unenforceable under the Act or under any of its applicable requirements. [40 C.F.R. § 70.6(b) and Reg.26.702(A) and (B)]
19. Any document (including reports) required by this permit pursuant to 40 C.F.R. § 70 must contain a certification by a responsible official as defined in Reg.26.2. [40 C.F.R. § 70.6(c)(1) and Reg.26.703(A)]
20. The permittee must allow an authorized representative of the Division of Environmental Quality, upon presentation of credentials, to perform the following: [40 C.F.R. § 70.6(c)(2) and Reg.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. If the 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 on the first day of the second month after the end of the reporting period. The permittee must also submit the compliance certification to the Administrator as well as to the Division of Environmental Quality. All compliance certifications required by this permit must include the following: [40 C.F.R. § 70.6(c)(5) and Reg.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; and
 - e. Such other facts as the Division of Environmental Quality 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: [Reg.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. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 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 Division of Environmental Quality approval. The Division of Environmental Quality 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.

[Reg.18.314(A), Reg.19.416(A), Reg.26.1013(A), Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 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 Division of Environmental Quality approval. Any such emissions shall be included in the facility's total emissions and reported as such. The Division of Environmental Quality may grant such a request, at its discretion under the following conditions:

- 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 Division of Environmental Quality 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.

[Reg.18.314(B), Reg.19.416(B), Reg.26.1013(B), Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 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 Division of Environmental Quality approval. The Division of Environmental Quality 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.

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[Reg.18.314(C), Reg.19.416(C), Reg.26.1013(C), Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 52 Subpart E]

27. Any credible evidence based on sampling, monitoring, and reporting may be used to determine violations of applicable emission limitations. [Reg.18.1001, Reg.19.701, Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311, and 40 C.F.R. § 52 Subpart E]