

ADEQ OPERATING AIR PERMIT

Pursuant to the Regulations of the Arkansas Operating Air Permit Program, Regulation No. 26:

Permit No. : 1884-AOP-R0

IS ISSUED TO:

WM Tontitown Landfill, LLC

18633 Stutts Road

(Washington County Road 865)

Springdale, AR 72765

Washington County

AFIN: 72-00144

**THIS PERMIT AUTHORIZES THE ABOVE REFERENCED PERMITTEE TO
INSTALL, OPERATE, AND MAINTAIN THE EQUIPMENT AND EMISSION
UNITS DESCRIBED IN THE PERMIT APPLICATION AND ON THE
FOLLOWING PAGES. THIS PERMIT IS VALID BETWEEN:**

AND

IS SUBJECT TO ALL LIMITS AND CONDITIONS CONTAINED HEREIN.

Signed:

Keith Michaels

Date

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Table 1 - List of Acronyms

A.C.A.	Arkansas Code Annotated
CFR	Code of Federal Regulations
CO	Carbon Monoxide
CSN	County Serial Number
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	Ton per year
UTM	Universal Transverse Mercator
VOC	Volatile Organic Compound

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Section I: FACILITY INFORMATION

PERMITTEE: WM Tontitown Landfill, LLC

AFIN: 72-00144

PERMIT NUMBER: 1884-AOP-R0

FACILITY ADDRESS: 18633 Stutts Road (Washington County Road No. 865)
Springdale, AR 72765

MAILING ADDRESS P.O. Box 1310
Springdale, AR 72765

COUNTY: Washington

CONTACT POSITION: Division Landfill Engineer – James E. Dunbar, P.E.

TELEPHONE NUMBER: (501)982-7336

FAX NUMBER: (501)982-2606

REVIEWING ENGINEER: Paul Osmon

UTM North - South (Y): Zone 15 - 3999.8 km N

UTM East - West (X): Zone 15 - 387.3 km E



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Section II: INTRODUCTION

Summary of Permit Activity

WM Tontitown Landfill, LLC owns and operates a solid waste landfill located at 18633 Stuttz Road approximately 3 miles south of U.S. Highway 412 near Tontitown, Arkansas. The facility currently operates under a Minor Source permit. The facility has requested that a Title V permit be issued for the facility. There is no change in operating processes at the facility, however with the issuance of a Title V permit, non-point source emissions are now included in the permit.

The existing active facility (which started receiving waste in 1979) is a 543 acre facility with 66 acres permitted for solid waste disposal. The facility contains a Class I landfill, a Class IV landfill, a composting area, and ancillary facilities including a transfer station building, a scale house, and administrative offices. The existing facility is permitted by the Arkansas Department of Environmental Quality (ADEQ) Solid Waste Division Permit #290-S1-R1 issued in July, 1997. The AFIN number is 72-00144. The Tontitown Sanitary Landfill has a design capacity of 2,550,000 Mg.

Landfills with a design capacity greater than 2,500,000 Mg that commenced construction, reconstruction or modification or began accepting waste on or after May 30, 1991 are subject to NSPS Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills. Landfills subject to NSPS Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills are required to install and operate a collection and incineration device for the destruction of the NMOC and HAP portions of the landfill gases given off by the decomposition of the waste if their projected NMOC emissions exceed 50 megagrams per year.

A facility is first required to perform Tier 1 testing which consists of calculating their emissions using formulae listed in 40 CFR §60.754 and a default value of 4000 ppmv NMOC concentration in the landfill gases. Based on this methodology, Tontitown Landfill has VOC emissions in excess of 100 tpy and would be required to obtain a Title V permit and install a landfill gas collection system.

Alternatively, a facility may perform Tier 2 testing where actual gas samples are taken from the landfill gas and analyzed for NMOC concentrations. The emissions from the landfill are then recalculated using the formulas listed in 40 CFR §60.754 and the NMOC emission factor experimentally determined. The emission limits shown in this permit are based on Tier 2 testing (a report of which was received for the subject facility dated May 14, 1999) and the estimated fill in place. The field measured NMOC concentrations for the Tontitown Landfill by this Tier 2 testing is 298.1 ppmv.

Process Description

Waste Management of Arkansas, Inc. (WM) owns and operates the Tontitown Sanitary Landfill (Landfill) Class I and Class IV facilities located approximately three miles southwest of the community of Tontitown, in Washington County, Arkansas. The Landfill is located within portions of Sections 14 and 23, Township 17 N, Range 31 West. Facilities at the Landfill

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include a Class I landfill area, Class IV landfill area, composting area, scale house, administrative facilities, and other ancillary facilities. The Landfill consists of approximately 543 acres with 66 acres permitted at the Class I Landfill for solid waste disposal of residential wastes, commercial wastes, industrial wastes, farming wastes, and special wastes as detailed in Appendix A of the Arkansas Department of Environmental Quality's (ADEQ) Regulation 22.

The Landfill is reported to have begun accepting waste in 1979. By July, 1997, 2,790,000 cubic yards of air space had been filled in the Landfill. A permit expansion approved at that time added 3,200,00 cubic yards of air space bringing the total permitted capacity of the 66-acre site to approximately 5,990,000 cubic yards (or approximately 2.8 million tons). Waste disposal areas at the landfill include Sites 1 and 2, permitted to accept Class IV waste; Site 3 and 4, South Phase and North Phase are permitted to accept Class I waste. Class IV waste was also placed south of Site 4. Operating hours at the Landfill are Monday through Friday from 7:00 A.M. to 4:00 P.M. and until noon on Saturdays. The Landfill is permitted under provisions of Solid Waste Permit No. 290-S1-R1 issued by ADEQ in July, 1997 and the Minor Source Air Permit No. 1884-AR-2 issued by ADEQ in June, 2000, modified October 5, 2001, and most recently January 30, 2003.

The current disposal area is designed in accordance with the United States Environmental Protection Agency (USEPA) Resource Conservation and Recovery Act (RRCA) regulations as incorporated in ADEQ Regulation 22. It includes a composite liner and leachate collection and removal system. Current landfill cell construction is designed and constructed in accordance with the USEPA RCRA Regulation (40CFR Part 258) and ADEQ Regulation 22.

Construction of the first phase of the Gas Collection and Control System (GCCS) commenced in March, 2001, and improvements and expansions of the system were completed in January and November, 2002. The GCCS system was designed in accordance with New Source Performance Standards (NSPS) federal regulation and to achieve comprehensive coverage of the Landfill within the area of installation. Initially, nineteen 8-inch diameter, polyvinyl chloride (PVC) gas collections wells were installed at depths from 38 to 90 feet. Expansions included: the addition of 11 out of waste wells just northwest of the site early in 2002, and the addition of 10 more out of waste wells southeast of the site later in 2002. The LFG collections system removes LFG under a vacuum from the landfill mass. The system collects and controls migrating surface and subsurface gases from the disposal area and from areas adjacent to the waste mass. An open flare (SN-02) is used to reduce or eliminate NMOCs, volatile organic compounds (VOCs), and hazardous air pollutants (HAPs) found in LFG. Gas recovery rates at the flare were just under 1300 cubic feet per minute (SCFM) in 2002. The gas collected by this system is destructed in the open flare.

It is estimated that 25 percent of the emissions will continue to be emitted as non-point source emissions (SN-01) and that 75 percent of the gases will be gathered and flared in open flare(s). The permit limits in this modification are based on actual measured volumes from the landfill gas gathering system and Tier II NMOC concentration measurements, and average concentration of pollutants in LFG based on *Waste Industry Air Coalition Comparison of Recent Landfill Gas Analyses with Historic AP-42 Values, January, 2001*.


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Paved/unpaved roadways, construction activities, and wind erosion of cover soil stockpiles all contribute non-point source emissions of particulate matter (SN-03).

Regulations

The following table contains the regulations applicable to this permit.

Table 2 – Regulations

Source No.	Regulation Citations
Facility	 Regulation 18 – <i>Arkansas Air Pollution Control Code</i>
Facility	Regulation 19 – <i>Arkansas Plan of Implementation for Air Pollution Control</i>
Facility	Regulation 26 – <i>Arkansas Air Operating Permit Program</i>
Facility	40 CFR 60 – Subpart WWW – <i>Standards of Performance for Municipal Solid Waste Landfills</i>

The following table is a summary of emissions from the facility. The following table contains cross-references to the pages containing specific conditions and emissions for each source. This table, in itself, is not an enforceable condition of the permit.

Table 3 – Emission Summary

EMISSION SUMMARY					
Source No.	Description	Pollutant	Emission Rates		Cross Reference Page
			lb/hr	tpy	
		PM	8.5	11.5	
		PM ₁₀	8.5	11.5	
	Total Allowable Emissions	SO ₂	1.0	4.2	
		VOC	4.2	18.3	
		CO	22.2	97.3	

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EMISSION SUMMARY					
Source No.	Description	Pollutant	Emission Rates		Cross Reference Page
			lb/hr	tpy	
		NO _x	4.1	17.9	
	HAPS	1,1-Dichloroethane*	0.0305	0.1335	
		Benzene*	0.3368	1.4751	
		Ethylbenzene*	0.2995	1.3117	
		Methyl Ethyl Ketone*	0.3804	1.6660	
		Toluene*	1.4339	6.2806	
		Vinyl Chloride	0.0280	0.1225	
		Xylene*	0.7315	3.2039	
		Hydrochloric Acid	0.4770	2.0894	
01	Landfill Gas Emissions Uncontrolled	VOC	4.2	18.3	12
		1,1-Dichloroethane	0.0305	0.1335	
		Benzene	0.3368	1.4751	
		Ethylbenzene	0.2995	1.3117	
		Methyl Ethyl Ketone	0.3804	1.6660	
		Toluene	1.4339	6.2806	
		Vinyl Chloride	0.0280	0.1225	
		Xylene	0.7315	3.2039	
		Hydrochloric Acid	0.4770	2.0894	
02	Landfill Gas Emissions Flare(s)	PM	1.0	4.4	12
		PM ₁₀	1.0	4.4	
		SO ₂	1.0	4.2	
		VOC	0.1	0.1	
		CO	22.2	97.3	
		NO _x	4.1	17.9	
03	Landfill Operations Non-point Source Emissions (roads and earth works)	PM	7.5	7.1	12
		PM ₁₀	7.5	7.1	

*HAPs included in the VOC totals. Other HAPs are not included in any other totals unless specifically stated.

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Section III: PERMIT HISTORY

Permit No. 1884-A was issued to Waste Management - Tontitown Sanitary Landfill on June 29, 2000. Fugitive emissions from the decomposition of the enclosed MSW were the only source listed. The facility was listed as subject to 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills since it has a design capacity of 2,550,000 MG and has been modified after May 30 1991. Emission limits for the permit were: VOC 0.8 tpy, Toluene - 7.53 tpy, Perchloroethylene - 1.29 tpy, Ethylbenzene - 1.02 tpy, 1,1,2,2-Tetrachlorethylene - 0.03 tpy, Acrylonitrile - 1.27 tpy, Vinyl Chloride - 0.96 tpy, Dichloroethane - 2.53 tpy, 1,1-Dichloroethane - 0.49 tpy, Xylene - 2.67 tpy, 1,2-Dichloroethane - 0.09 tpy, Hexane - 1.18 tpy, Mercury - 0.047 tpy, and Methyl Ethyl Ketone - 1.06 tpy.

Permit No. 1884-AR-1 was issued to Waste Management Tontitown Landfill, LLC on October 5, 2001. The permit modification was issued to allow the installation of a landfill gas gathering system and flare(s). The facility was listed as subject to 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills since it has a design capacity of 2,550,000 MG and has been modified after May 30, 1991. The flare was not listed as a requirement of 40 CFR 60, Subpart WWW - Standards of Performance for Municipal Solid Waste Landfills since the maximum NMOC emissions from the landfill are less than 50 Mg/yr. Emission limits for the permit were: PM/PM₁₀ - 2.2 tpy, SO₂ - 0.1 tpy, VOC - 10.7 tpy, CO - 46.7 tpy, NO_x - 9.0 tpy, Toluene - 3.64 tpy, Xylene 1.86 tpy, and Hydrochloric Acid - 1.05 tpy.

Permit No. 1884-AR-2 was issued to Waste Management Tontitown Landfill LLC on January 30, 2003. This permit modification was issued to change the emission limits from being based on an empirical model to being based on actual volumes of LFG measured through the flare(s). Emission limits for the permit were: PM/PM₁₀ - 4.4 tpy, SO₂ - 0.1 tpy, VOC - 18.4 tpy, CO - 97.3 tpy, NO_x - 17.9 tpy, 1,1-Dichloroethane - 0.1335 tpy, Benzene - 1.4751 tpy, Ethylbenzene - 1.3117 tpy, Methyl Ethyl Ketone - 1.6660 tpy, Toluene - 6.2806 tpy, Vinyl Chloride - 0.1225 tpy, Xylene 2.2039 tpy, and Hydrochloric Acid - 2.0894 tpy.

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Section IV: SPECIFIC CONDITIONS

Source No. SN- 01, SN-02, and SN-03

Description

The permittee is allowed to operate the landfill without the land fill gas gathering system in operation since the calculated emissions of NMOC is less than 50 megagrams per year. The uncontrolled emissions from the landfill (whether the gas gathering system is operating or not) are designated as SN-01. The permittee currently operates the landfill with a gas gathering system and flare which captures approximately 75 % of the landfill gases and burns them. The emissions from the flare(s) are designated SN-02. Particulate matter is emitted from the roadways used by the vehicles on site, construction activities, and wind erosion of storage piles and from the placing of soil cover material on the landfill surface. These emissions are designated as SN-03.

Specific Conditions

1. The permittee shall not exceed the emission rates set forth in the following table. The permittee will demonstrate compliance with this condition by compliance with Specific Condition No. 12. [Regulation No. 19 §19.501 *et seq.* effective February 15, 1999, and 40 CFR Part 52, Subpart E]

Table 4 – Maximum Criteria Emission Rates

Source No.	Description	Pollutant	lb/hr	tpy
SN-01	Landfill Gas Emissions Uncontrolled	VOC	4.2	18.3
SN-02	Landfill Gas Emissions Flare(s)	PM ₁₀	1.0	4.4
		SO ₂	0.1	0.1
		VOC	0.1	0.1
		CO	22.2	97.3
		NO _x	4.1	17.9
SN-03	Landfill Operations Non-point Source Emissions (roads and earthworks)	PM ₁₀	7.5	7.1

2. The permittee shall not exceed the emission rates set forth in the following table. The permittee will demonstrate compliance with this condition by compliance with Specific

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Condition No. 12. [Regulation No. 18 §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Table 5 – Maximum Non-Criteria Emission Rates

		Pollutant	lb/hr	tpy		
SN-01	Landfill Gas Emissions Uncontrolled	1,1-Dichloroethane	0.0305	0.1335		
		Benzene	0.3368	1.4751		
		Ethylbenzene	0.2995	1.3117		
		Methyl Ethyl Ketone	0.3804	1.6660		
		Toluene	1.4339	6.2806		
		Vinyl Chloride	0.0280	0.1225		
		Xylene	0.7315	3.2039		
		Hydrochloric Acid (HCl)	0.4770	2.0894		
		SN-02	Landfill Gas Emissions Flare(s)	PM	1.0	4.4
		SN-03	Landfill Operations Non-point Source Emissions (roads and earthworks)	PM	7.5	7.1

3. The landfill gas emissions flares(s) (SN-02) shall be designated for and operated with no visible emissions, except for periods not to exceed a total of five minutes during any two consecutive hours. EPA Reference Method 22 shall be used to determine compliance with the visible emission provisions. An initial compliance test shall be completed for the flare(s) in accordance with the timetables of Plantwide Condition No. 3. A Method 22 Test was performed on June 10, 2003 for the existing flare unit and successfully documented no visible emissions. No additional Method 22 test is required under this permit unless a new flare unit is installed or significant modifications are made to the existing flare unit which would alter the potential emissions. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
4. The permittee is subject to and shall comply with 40 CFR Part 60 Subpart WWW -Standards of Performance for Municipal Solid Waste Landfills (Attachment 1) since it has a design fill capacity in excess of 2,500,000 Mg and the facility was modified after May 30, 1991. Based on Tier 2 testing, it is exempt at this time from the requirements for installation of a landfill gas collection and control system because their NMOC emissions are calculated to be less than 50 Mg per year for the next five years. The gas collection and control system which is operating at the landfill is not subject to the monitoring requirements of 40 CFR 60, Subpart WWW –

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Standards of Performance for Municipal Solid Waste Landfills until the site specific NMOC emissions are determined to be equal to or greater than 50 Mg per year. [§19.304 of Regulation 19 and 40 CFR 60, Subpart WWW]

5. The permittee shall submit each year an annual and projected 5 year emissions report to ADEQ using the calculation methods outlined in 40 CFR § 60.754(a)(1) until the calculated NMOC emission rate exceeds 50 Mg per year or the landfill is closed. The permittee is not required to submit this data if based on the latest site specific NMOC concentrations and the permitted landfill volume, the emissions do not exceed 50 MG per year for the life of the landfill. Calculations shall use the latest measured site specific NMOC concentration. [§19.304 of Regulation 19 and 40 CFR 60, Subpart WWW]
6. The permittee shall retest their site specific NMOC concentration every 5 years using the test methods described in 40 CFR § 60.754(a)(3) for as long as the calculated emissions are less than 50 Mg per year. The permittee shall notify the Department of the scheduled date of testing at least fifteen (15) days in advance of such test. Test results shall be submitted to the Department within thirty (30) days after the completed testing. [§19.304 of Regulation 19 and 40 CFR 60, Subpart WWW]
7. The permittee shall be required to modify this permit before starting any modification, construction, or reconstruction at the facility not described in this permit. The permittee is allowed to install additional gas extraction wells and remove and/or replace existing gas extraction wells; any such modifications shall be documented and a record maintained on site and provided to Department personnel upon request. [§19.304 of Regulation 19 and 40 CFR 60, Subpart WWW]
8. The Landfill Gas Emissions Flare(s) (SN-02) shall be operated with a flame present at all times. The presence of a flame shall be monitored by an ultraviolet sensor or thermocouple. In the event of a flame failure the permittee shall shut down the extraction system to prevent passive venting of landfill gas. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
9. The net heating value of the gas being combusted in the Landfill Gas Emissions Flare(s) shall be 200 BTU/scf or greater for non-assisted flares. The heating value of the gas being combusted shall be calculated as specified in 40 CFR Section 60.18 (f) (3). A copy of the calculations shall be kept on site and made available to Department personnel upon request. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
10. The non-assisted flare(s) shall be designed for and operated with an exit velocity less than the maximum permitted velocity (V_{max}). The maximum permitted velocity shall be calculated as specified in 40 CFR Section 60.18(f) (5). The actual exit velocity shall be calculated as specified in 40 CFR Section 60.18(f) (4). A copy of the calculations shall be kept on site and made available to Department personnel upon request. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
11. The permittee shall not accept more than 4.841 million in-place Mg (5.336 million in-place

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tons or 8.209 million in-place cubic yards) of refuse in the new landfill after January 1, 2000. The permittee shall maintain records of the amount of refuse accepted to date. Records shall be updated by the last day of the following month, kept on site and provided to Department personnel upon request. [§19.304 of Regulation 19 and 40 CFR 60, Subpart WWW]

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Section V: COMPLIANCE PLAN AND SCHEDULE

Waste Management Tontitown Sanitary Landfill, LLC does not currently have an enforcement action. Waste Management Tontitown Sanitary Landfill, LLC will continue to operate in compliance with those identified regulatory provisions. The facility will examine and analyze future regulations that may apply and determine their applicability with any necessary action taken on a timely basis.



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Section VI: PLANT WIDE CONDITIONS

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

Title VI Provisions

7. The permittee must comply with the standards for labeling of products using ozone-depleting substances. [40 CFR Part 82, Subpart E]

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- a. All containers containing a class I or class II substance stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced to interstate commerce pursuant to §82.106.
 - b. The placement of the required warning statement must comply with the requirements pursuant to §82.108.
 - c. The form of the label bearing the required warning must comply with the requirements pursuant to §82.110.
 - d. No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
 - e. The permittee must comply with the standards for recycling and emissions reduction, except as provided for MVACs in Subpart B. [40 CFR Part 82, Subpart F]
8. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
- a. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
 - b. Persons performing maintenance, service repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
 - c. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. (“MVAC-like appliance” as defined at §82.152.)
 - d. Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to §82.156.
9. If the permittee manufactures, transforms, destroys, imports, or exports a class I or class II substance, the permittee is subject to all requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
10. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

The term a motor vehicle@ as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term AMVAC@ as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant.

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11. The permittee can switch from any ozone-depleting substance to any alternative listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

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Section VII: INSIGNIFICANT ACTIVITIES

The following sources are insignificant activities. Any activity that has a state or federal applicable requirement is a significant activity even if this activity meets the criteria of §304 of Regulation 26 or listed in the table below. Insignificant activity determinations rely upon the information submitted by the permittee in an application dated June, 2003.

Table 6 - Insignificant Activities

Description	Category
500 gallon gasoline tank	Group A13
2,000 gallon diesel fuel tank	Group A3
250 gallon used oil tank	Group A3
three 250 gallon equipment oil tanks	Group A3
Leachate collection system	Group A13

Pursuant to §26.304 of Regulation 26, the Department determined the emission units, operations, or activities contained in Regulation 19, Appendix A, Group B, to be insignificant activities. Activities included in this list are allowable under this permit and need not be specifically identified.

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Section V: GENERAL PROVISIONS

1. Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation No. 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 No. 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 No. 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 No. 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.

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6. The permittee must retain the records of all required monitoring data and support information for at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [40 CFR 70.6(a)(3)(ii)(B) and Regulation No. 26 §26.701(C)(2)(b)]
7. The permittee must submit reports of all required monitoring every 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 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 §26.701(C)(3)(a) of Regulation #26]

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

8. The permittee will report to the Department all deviations from permit requirements, including those attributable to upset conditions as defined in the permit. 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: [40 CFR 70.6(a)(3)(iii)(B), Regulation #26 §26.701(C)(3)(b), and Regulation #19 §19.601 and §19.602]
 - a. The facility name and location
 - b. The process unit or emission source deviating from the permit limit,
 - c. The permit limit, including the identification of pollutants, from which deviation occurs,
 - d. The date and time the deviation started,
 - e. The duration of the deviation,
 - f. The average emissions during the deviation,
 - g. The probable cause of such deviations,
 - h. Any corrective actions or preventive measures taken or being taken to prevent such deviations in the future, and
 - i. The name of the person submitting the report.

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The permittee will make a full report in writing to the Department within five (5) business days of discovery of the occurrence. The report must include, in addition to the information required by the initial report, a schedule of actions taken or planned to eliminate future occurrences and/or to minimize the amount the permit's limits were exceeded and to reduce the length of time the limits were exceeded. The permittee may submit a full report in writing (by facsimile, overnight courier, or other means) by the next business day after discovery of the occurrence, and the report will serve as both the initial report and full report. [40 CFR 70.6(a)(3)(iii)(B), Regulation No. 26 §26.701(C)(3)(b), Regulation No. 19 §19.601 and §19.602]

9. If any provision of the permit or the application thereof to any person or circumstance is held invalid, such invalidity will not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end, provisions of this Regulation are declared to be separable and severable. [40 CFR 70.6(a)(5), §26.701(E) of Regulation No. 26, and A.C.A. §8-4-203, as referenced by §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 No. 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 No. 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 No. 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 No. 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 No. 26 §26.701(F)(4)]
14. The permittee must furnish to the Director, within the time specified by the Director, any information that the Director may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee must also furnish to the Director copies of records required by the permit. For information the permittee claims confidentiality, the Department may require the permittee to furnish such records directly to the Director along with a claim of confidentiality. [40 CFR 70.6(a)(6)(v) and Regulation No. 26 §26.701(F)(5)]
15. The permittee must pay all permit fees in accordance with the procedures established in Regulation No. 9. [40 CFR 70.6(a)(7) and Regulation No. 26 §26.701(G)]

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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 No. 26 §26.701(H)]
17. If the permit allows different operating scenarios, the permittee will, 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 No. 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 No. 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 No. 26 §26.2. [40 CFR 70.6(c)(1) and Regulation No. 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 No. 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 will submit a compliance certification with the terms and conditions contained in the permit, including emission limitations, standards, or work practices. The permittee must submit the compliance certification annually within 30 days following the last day of the anniversary month of the initial Title V permit. The permittee must also submit the compliance certification to the Administrator as well as to the Department. All compliance certifications required by this permit must include the following: [40 CFR 70.6(c)(5) and Regulation No. 26 §26.703(E)(3)]
 - a. The identification of each term or condition of the permit that is the basis of the certification;

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- 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 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 No. 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 §8-4-304 and §8-4-311]

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APPENDIX A

40 CFR 60, SUBPART WWW