

ADEQ RENEWAL OPERATING AIR PERMIT

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

Permit No. : 2004-AOP-R2

Renewal #1

IS ISSUED TO: Acme Brick Company – Wheeler Plant

Jonesboro, AR 72403

Craighead County

AFIN: 16-00002

and

IS SUBJECT TO ALL LIMITS AND CONDITIONS CONTAINED HEREIN

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
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: Acme Brick Company – Wheeler Plant

AFIN: 16-00002

PERMIT NUMBER: 2004-AOP-R2

FACILITY ADDRESS: 2905 Dan Avenue
Jonesboro, AR 72403

MAILING ADDRESS 2905 Dan Avenue
Jonesboro, AR 72403

COUNTY: Craighead

CONTACT POSITION: Greg May – Plant Manager

TELEPHONE NUMBER: (870) 935-5182

REVIEWING ENGINEER: Karen Cerney

UTM North - South (Y): Zone 15 [3969.6]

UTM East - West (X): Zone 15 [702.6]



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Section II: INTRODUCTION

Summary of Permit Activity

Acme Brick Company owns and operates a clay brick manufacturing facility located at 2905 Dan Avenue in Jonesboro, Arkansas. This facility manufactures hard fired clay brick for use in the construction of commercial and residential structures. This Title V permit renewal changes one source (SN-01) from an insignificant activity (Group C Number 5) to a permitted emission source, and it increases the permitted production rate from 67,450 tons per year (tpy) to 75,000 tpy of fired ware. The proposed change results in an increase of 17.2 tpy of PM emissions, 20.2 tpy of PM₁₀ emissions, 1.3 tpy of SO₂ emissions, 25.6 tpy of CO emissions, 7.9 tpy of NO_x emissions, 1.8 tpy of VOC emissions, 3.7 tpy of HF emissions, and 1.27 tpy of HCL emissions.

Process Description

Raw materials (surface clays) are delivered by truck to the facility. The clays are stored inside the raw clay storage building. Material not adequately sized is processed through a primary crusher. Initial blending of clays and other raw material takes place following the initial crushing. A mixture of clay, lightweight aggregate, granite fines, scrap brick, and other materials is prepared.

This material is then conveyed to a hammer mill. Initial sizing is performed by screening. Final sizing is performed by a smooth roller mill. An additive, such as manganese dioxide may be added to the mixture at this point.

Following the roller mill, the mixture is routed to a pug mill where water and additive A (lignosulfonate) may be added. Additive A is sometimes added as a lubricant to facilitate the extrusion process and as a binder while the extruded ware is in its green state. This mixture is then discharged into a vacuum chamber and then into the extruder. Brick are formed by extrusion through a die using the stiff extrusion process. All excess green scrap is conveyed back to the pug mill for reprocessing.

Sand and colorants are often added to the surface of the extruded column to provide texture and/or coloring. The extruded column is then cut into brick using a wire cutting machine. The brick are then mechanically grouped and stacked onto a kiln car transferred to pre-drying storage (holding room).

The kiln cars then pass from the holding room through the dryer (SN-01). Heat from the dryer is supplied from the tunnel kiln's cooling zone. A natural gas supplemental burner is installed to add heat in the drier in the event that the kiln waste heat is not adequate.

After drying, the brick are transferred into the tunnel kiln (SN-02) for firing. The kiln is fueled by natural gas. After cooling, the brick are packaged and stored for shipping.

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Regulations

The following table contains the regulations applicable to this permit.

Table 2 - Regulations

Source No.	Regulation Citations
Facility	Regulation 18, Arkansas Air Pollution Control Code.
Facility	Regulation 19, Regulations of The Arkansas Plan of Implementation for Air Pollution Control
Facility	Regulation 26, Regulations of The Arkansas Operating Air Permit Program
SN-02*	40 CFR Part 63, Subpart JJJJJ – National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing

* Acme Brick Company – Wheeler Plant must submit, no later than 180 days prior to the final compliance date, a permit application which brings the facility into full compliance with the subpart or a notification citing how the current permit demonstrates compliance with the subpart.

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					
			Emission Rates		
Source No.	Description	Pollutant	lb/hr	tpy	Cross Reference Page
Total Allowable Emissions		PM	11.3	49.6	
		PM ₁₀	11.3	49.6	
		SO ₂	6.3	27.6	
		VOC	0.6	2.6	
		CO	15.1	66.1	
		NO _x	4.5	19.7	

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Emission Summary					
			Emission Rates		
Source No.	Description	Pollutant	lb/hr	tpy	Cross Reference Page
HAPs		HF	4.64	20.33	
		HCL	1.60	7.01	
01	Dryer Exhaust Fan #1	PM/PM ₁₀	2.3	10.0	10
		CO	3.8	16.6	
		NO _x	1.2	5.3	
		VOC	0.4	1.6	
02	Tunnel Kiln	PM/PM ₁₀	9.0	39.6	12
		SO ₂	6.3	27.6	
		CO	11.3	49.5	
		NO _x	3.3	14.4	
		VOC	0.2	1.0	
		HF	4.64	20.33	
		HCL	1.60	7.01	
03	Crushing, Grinding, and Storage	Insignificant Activity (IA-18) – Regulation 19, Group A, Number 13			

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Section III: PERMIT HISTORY

Air permit # 2004-AOP-R0 was issued on November 16, 1998. This was the first air permit ever issued to Wheeler Brick Company, Inc. This facility has been in operation since 1966. With issuance of this permit, the facility modified their current operation by the addition of a foam dust suppression system on the roller mill which is part of the crushing and grinding operation.

Air Permit # 2004-AOP-R1 was issued to Wheeler Brick Company, Inc. on December 12, 2002. The air permit was modified by raising the permitted heat capacity of the brick drying kiln from 12.5 to 19 MMBtu/hr. There were no physical changes to the kiln (past estimates of heat input were understated). No increase in emissions was necessary because emissions were based on the permitted brick throughput (7.7 ton/hr), which remained unchanged. The kiln production records indicated that the heat input of the kiln would need to be approximately 19 MMBtu/hr for maximum production of 7.7 tons of brick per hour.

Section IV: SPECIFIC CONDITONS

Source No. SN-01 Description

Source SN-01 is a tunnel dryer exhaust. The tunnel dryer is a continuous heat exchanger which reduces the moisture in the wet brick to approximately 1% by weight. Waste heat from the cooling zone of the kiln is introduced near the dryer exit. An exhaust fan pulls this waste heat toward the entrance end of the dryer as the product flows in the opposite direction. The moisture from the drying operation is exhausted from SN-01. The dryer uses waste heat from the kiln as a heat source. A natural gas supplemental heat burner is installed to add heat in the drier in the event that the kiln waste heat is not adequate. The equipment was modified in 1994.



Specific Conditions

1. The permit allows the following maximum emission rates. The pound per hour pollutant emission rates are based on the maximum physical capacity of the source (in tons of brick per hour). Compliance with the ton per year (tpy) pollutant emission rates are demonstrated through compliance with Plant Wide Condition 7. [Regulation No. 19 §19.501 *et seq.* effective February 15, 1999, and 40 CFR Part 52, Subpart E]

Table 4 – Maximum Criteria Emission Rates

Pollutant	lb/hr	tpy
PM ₁₀	2.3	10.0
VOC	0.4	1.6
CO	3.8	16.6
NO _x	1.2	5.3

2. The permittee shall not exceed the emission rates set forth in the following table. The pound per hour pollutant emission rates are based on the maximum physical capacity of the source (in tons of brick per hour). Compliance with the ton per year (tpy) pollutant emission rates are demonstrated through compliance with Plant Wide Condition 7. [Regulation No. §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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Table 5 – Maximum Non-Criteria Emission Rates

Pollutant	lb/hr	tpy
PM	2.3	10.0

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

Table 6 – Visible Emissions

Limit	Regulatory Citation
20%	§19.503 of Regulation 19 and 40 CFR Part 52, Subpart E

4. Daily observations of the opacity from source SN-01 shall be conducted by personnel familiar with the permittee’s visible emissions. The permittee shall accept such observations for demonstration of compliance. The permittee shall maintain personnel trained in EPA Reference Method 9. If visible emissions which appear to be in excess of the permitted opacity are detected, the permittee shall immediately take action to identify the cause of the visible emissions, implement corrective actions, and document that the visible emissions did not appear to be in excess of the permitted opacity following the corrective actions. The permittee shall maintain records which contain the following items in order to demonstrate compliance with this specific condition. These records shall be updated daily, kept on site, and made available to Department personnel upon request. a.) The date and the time of the observation, b.) If visible emissions which appeared to be above the permitted limit were detected, c.) If visible emissions which appeared to be above the permitted limit were detected, the cause of the exceedance of the opacity limit, the corrective action taken, and if the visible emissions appeared to be below the permitted limit after the corrective action was taken, d.) The name of the person conducting the opacity observations. [Regulation No. 19 §19.705 and 40 CFR Part 52, Subpart E]
5. Natural gas will be the only fuel used to fire the dryer supplemental burner, SN-01. [Regulation No. 19 §19.705, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR 70.6]

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Source No. SN-02 Description

Source SN-02 is the tunnel kiln exhaust fan. The kiln is a natural gas fired unit. It is divided into three zones: the firing zone, the flashing zone, and the cooling zone. Heat for the brick dryer is supplied from the kiln's cooling zone. The products of combustion and HAPs associated with the firing of the bricks are emitted from the kiln. This unit was installed in 1978.

Specific Conditions

- The permit allows the following maximum emission rates. The pound per hour pollutant emission rates are based on the maximum physical capacity of the source (in tons of brick per hour). Compliance with the ton per year (tpy) pollutant emission rates are demonstrated through compliance with Plant Wide Condition 7. [Regulation No. 19 §19.501 *et seq.* effective February 15, 1999, and 40 CFR Part 52, Subpart E]

Table 7 – Maximum Criteria Emission Rates

Pollutant	lb/hr	tpy
PM ₁₀	9.0	39.6
SO ₂	6.3	27.6
VOC	0.2	1.0
CO	11.3	49.5
NO _x	3.3	14.4

- The permittee shall not exceed the emission rates set forth in the following table. The pound per hour pollutant emission rates are based on the maximum physical capacity of the source (in tons of brick per hour). Compliance with the ton per year (tpy) pollutant emission rates are demonstrated through compliance with Plant Wide Condition 7. [Regulation No. §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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Table 8 – Maximum Non-Criteria Emission Rates

Pollutant	lb/hr	tpy
PM	9.0	39.6
HF	4.64	20.33
HCL	1.6	7.01

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

Table 9 – Visible Emissions

SN	Limit	Regulatory Citation
02	20%	§19.503 of Regulation 19 and 40 CFR Part 52, Subpart E

9. Daily observations of the opacity from source SN-02 shall be conducted by personnel familiar with the permittee’s visible emissions. The permittee shall accept such observations for demonstration of compliance. The permittee shall maintain personnel trained in EPA Reference Method 9. If visible emissions which appear to be in excess of the permitted opacity are detected, the permittee shall immediately take action to identify the cause of the visible emissions, implement corrective actions, and document that the visible emissions did not appear to be in excess of the permitted opacity following the corrective actions. The permittee shall maintain records which contain the following items in order to demonstrate compliance with this specific condition. These records shall be updated daily, kept on site, and made available to Department personnel upon request. a.) The date and the time of the observation, b.) If visible emissions which appeared to be above the permitted limit were detected, c.) If visible emissions which appeared to be above the permitted limit were detected, the cause of the exceedance of the opacity limit, the corrective action taken, and if the visible emissions appeared to be below the permitted limit after the corrective action was taken, d.) The name of the person conducting the opacity observations. [Regulation No. 19 §19.705 and 40 CFR Part 52, Subpart E]
10. Natural gas will be the only fuel used to fire the kiln, SN-02. [Regulation No. 19 §19.705, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR 70.6]
11. The permittee will submit a permit modification application which will bring Acme Brick Company – Wheeler Plant into full compliance with 40 CFR Part 63, Subpart JJJJ –

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National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing, or the permittee will submit a notification citing how the current permit demonstrates compliance with the subpart. The application or notification must be submitted no later than 180 days prior to May 16, 2006. [Regulation No. 19 §19.304, 40 CFR Part 63, Subpart JJJJ, 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

Acme Brick Company – Wheeler Plant is in compliance with the applicable regulations cited in the permit application. Acme Brick Company – Wheeler Plant will continue to operate in compliance with those identified regulatory provisions. The facility will examine and analyze future regulations that may apply and determine their applicability with any necessary action taken on a timely basis.

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Section VI: 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]
7. The maximum allowable production at the facility is 75,000 tons of fired ware at the facility during any consecutive 12-month period.
8. The permittee will maintain monthly records to demonstrate compliance with Plant Wide Condition No.7. The records should include a rolling 12 month total. The permittee will

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update the records by the fifteenth day of the month following the month. The permittee will keep the records onsite, and make the records available to Department personnel upon request. The monthly reports shall also be submitted to the Department per General Provision 7 by the last day of the month after the reported six months. [Regulation No. 19 §19.705, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311 and 40 CFR 70.6]

Title VI Provisions

9. The permittee must comply with the standards for labeling of products using ozone-depleting substances. [40 CFR Part 82, Subpart E]
 - a. All containers containing a class I or class II substance stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced to interstate commerce pursuant to §82.106.
 - b. The placement of the required warning statement must comply with the requirements pursuant to §82.108.
 - c. The form of the label bearing the required warning must comply with the requirements pursuant to §82.110.
 - d. No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
10. The permittee must comply with the standards for recycling and emissions reduction, except as provided for MVACs in Subpart B. [40 CFR Part 82, Subpart F]
 - a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
 - c. Persons performing maintenance, service repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. (“MVAC-like appliance” as defined at §82.152.)
 - e. Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to §82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.
11. 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.
12. 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

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air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

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

13. 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".

Permit Shield

14. Compliance with the conditions of this permit shall be deemed compliance with all applicable requirements, as of the date of permit issuance, included in and specifically identified in Table 10 - Applicable Regulations of this condition. The permit specifically identifies the following as applicable requirements based upon the information submitted by the permittee in an application dated May 14, 2003.

Table 10 - Applicable Regulations

Source No.	Regulation	Description
Facility	Arkansas Regulation 19	Compilation of Regulations of the Arkansas State Implementation Plan for Air Pollution Control
Facility	Arkansas Regulation 26	Regulations of the Arkansas Operating Air Permit Program
Facility	40 CFR Part 63 Subpart JJJJ	National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing

The permit specifically identifies the following as inapplicable based upon information submitted by the permittee in an application dated May 14, 2003.

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Table 11 - Inapplicable Regulations

Source No.	Regulation	Description
Facility	New Source Performance Standards	Subpart OOO (Standards of Performance for Nonmetallic Mineral Processing Plants) – The facility commenced construction, reconstruction, and modification before August 31, 1983

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 **May 14, 2003**.

Table 12 - Insignificant Activities

Description	Category
IA-1, Dry Coating Mixer	A-13
IA-2, Bat Loss Drop	A-13
IA-3, Pugmill	A-13
IA-4, Brick / Refractory Saw	A-13
IA-5, Brick Packaging / Dehacking	A-13
IA-6, Brick Setting	A-13
IA-7, Slurry Mixers	A-13
IA-8, Additive Storage	A-13
IA-9, Clay Storage	A-13
IA-10, Conveyor Drop Points and Material Storage	A-13
IA-11, Holding Room Exhausts	A-13
IA-12, Grinding Building	A-13
IA-13, Kiln Car Cleaner	A-13
IA-14, Clay Surge Hopper	A-13
IA-15, Sand and Slurry Applications	A-13
IA-16, Material Bucket Mixing	A-13
IA-17, Plant Vacuum System	A-13

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Description	Category
IA-18, Primary Crushing	A-13
Road Diesel Tank, 8500 Gallons, 0.0074 psi vapor pressure at STP	A-3
Off Road Diesel Tank, 8500 Gallons, 0.0074 psi vapor pressure at STP	A-3
Waste Oil, 500 Gallons, <0.01 psi vapor pressure at STP	A-3
Hydraulic Reservoir, 600 gallons, <0.01 psi vapor pressure at STP	A-3
Hydraulic Reservoir, 80 gallons, <0.01 psi vapor pressure at STP	A-3
Hydraulic Reservoir, 30 gallons, <0.01 psi vapor pressure at STP	A-3
Hydraulic Reservoir, 30 gallons, <0.01 psi vapor pressure at STP	A-3
Hydraulic Reservoir, 30 gallons, <0.01 psi vapor pressure at STP	A-3
Hydraulic Reservoir, 30 gallons, <0.01 psi vapor pressure at STP	A-3
Die Lube Reservoir, 250 gallons, <0.01 psi vapor pressure at STP	A-3
Vacuum Pump Reservoir, 210 gallons, <0.01 psi vapor pressure at STP	A-3
Motor Oil, 55 gallons, <0.01 psi vapor pressure at STP	A-3
Gear Oil, 55 gallons, <0.1 psi vapor pressure at STP	A-3
Transmission Oil, 55 gallons, <0.01 psi vapor pressure at STP	A-3

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Description	Category
Antifreeze, 55 gallons, <0.01 psi vapor pressure at STP	A-3
Hydraulic Fluid, 55 gallons, <0.01 psi vapor pressure at STP	A-3
Lignosulfanate (Additive A) Tanks (3), 9500 gallons, <0.01 psi vapor pressure at STP	A-3
Emergency Standby Generator	A-12

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 VIII: 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.
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

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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 has been established, 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 CFR 70.6(a)(3)(ii)(B) and Regulation No. 26 §26.701(C)(2)(b)]

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.

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.

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[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) and §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. 19. [40 CFR 70.6(a)(7) and Regulation No. 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 No. 26 §26.701(H)]

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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;
 - 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.

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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

Facility: Acme Brick Company – Wheeler Plant
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APPENDIX B

Facility: Acme Brick Company – Wheeler Plant
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APPENDIX C

Facility: Acme Brick Company – Wheeler Plant
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APPENDIX D

Request for PDS Invoice			
Invoice Number (assigned when invoice printed)	PDS-		
AFIN r	16-00002		
Name (for confirmation only)	Acme Brick Company – Ouachita Plant		
Invoice Type (pick one) r	Initial	Mod X	Variance
	Annual	Renewal X	Interim Authority
Permit Number r	2004-AOP-R2		
Media Code r	A		
Fee Code or Pmt Type r	T5		
Fee Description (for confirmation only)	Title V		
Amount Due r (whole dollar amount only)	\$1000		
Printed Comment(600 characters maximum)			
Note: The information below is for use by the requesting division if desired; it will not print on the invoice.			
Engineer	Karen Cerney		
Paid? (yes/no)			
Check number			
Comments	20.2*\$19.93 = \$403 < \$1000 minimum modification fee; Therefore, the fee is \$1000		
r Required data (See “g:\Misc\PDS_FeeCodes.wpd” for descriptions and discussions of fee codes)			
Request submitted by:			Date:

Public Notice

Pursuant to the Arkansas Operating Air Permit Program (Regulation No. 26) Section 602, the Air Division of the Arkansas Department of Environmental Quality gives the following notice:

Acme Brick Company owns and operates a clay brick manufacturing facility located at 2905 Dan Ave. in Jonesboro, Arkansas. This facility manufactures hard fired clay brick for use in the construction of commercial and residential structures. This Title V permit renewal changes one source (SN-01) from an insignificant activity to a permitted emission source, and it increases the permitted production rate from 67,450 tons per year (tpy) to 75,000 tpy of fired ware. The proposed change results in an increase of 17.2 tpy of PM emissions, 20.2 tpy of PM₁₀ emissions, 1.3 tpy of SO₂ emissions, 25.6 tpy of CO emissions, 7.9 tpy of NO_x emissions, 1.8 tpy of VOC emissions, 3.7 tpy of HF emissions, and 1.27 tpy of HCL emissions.

The staff of the Department reviewed the application, and the application received the Department's tentative approval subject to the terms of this notice.

Citizens wishing to examine the permit application and staff findings and recommendations may do so by contacting Doug Szenher, Public Affairs Supervisor. Citizens desiring technical information concerning the application or permit should contact Karen Cerney, Engineer. Citizens can reach both Doug Szenher and Karen Cerney at the Department's central office, 8001 National Drive, Little Rock, Arkansas 72209, telephone: (501) 682-0744.

The draft permit and permit application are available for copying at the above address. Crowley Ridge Regional Library, 315 West Oak, Jonesboro, AR 72401 has a copy of the draft permit. Citizens may review this information during normal business hours.

Interested or affected persons may also submit written comments or request a hearing on the proposal or the proposed modification, to the Department at the above address - Attention: Doug Szenher. For the Department to consider the comment, the interested or affected persons must submit written comments within thirty (30) days of publication of this notice. Although the Department is not proposing to conduct a public hearing, the Department will schedule and hold a hearing if the Department receives significant comments on the permit provisions. If the Department schedules a hearing, the Department will give adequate public notice in the newspaper of largest circulation in the county in which the facility in question is, or will be, located.

The Director will make a final decision to issue or deny this application or to impose special conditions in accordance with Section 2.1 of the Arkansas Pollution Control and Ecology Commission's Administrative Procedures (Regulation No. 8) and Regulation No. 26.

Dated this

Marcus C. Devine
Director