

ADEQ MINOR SOURCE AIR PERMIT

Permit #: 1358-AR-4

IS ISSUED TO:

Tyson Foods, Inc. – Berryville Further Processing Facility
110 West Freeman
Berryville, AR 72616
Carroll County
AFIN: 08-00002

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

Signed:

Keith A. Michaels

Date Amended

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Tyson Foods, Inc. – Berryville Further Processing Facility
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Section I: FACILITY INFORMATION

PERMITTEE: Tyson Foods Inc. –
Berryville Further Processing Facility

AFIN: 08-00002

PERMIT NUMBER: 1358-AR-4

FACILITY ADDRESS: 110 West Freeman
Berryville, AR 72616

COUNTY: Carroll

CONTACT POSITION: Complex Engineer – Alan Barta

TELEPHONE NUMBER: (870)423-2164

FAX NUMBER: (870)423-1681

REVIEWING ENGINEER: Paul Osmon

UTM North-South (Y) Zone 15 - 4025.3 km N

UTM East-West (X): Zone 15 - 448.6 km E



Section II: INTRODUCTION

Summary

Tyson Foods, Inc. owns and operates a further processing facility in Berryville (Carroll County), Arkansas. The facility is modifying the current permit to install two new 8 MMBTU/hr Fulton Thermal Fluid Heaters (SN-41 & SN-42), remove the current direct-fired fryer (SN-06) and replace it with an indirect fired fryer (SN-43), and remove two existing direct fired ovens (SN-27 and SN-28) and replace them with two indirect fired ovens (listed now in insignificant activities). The permit will also be corrected to show that two boiler (SN-03 and SN-04) are not subject to 40 CFR Part 60 - Subpart Dc – Standards of Performance for Small Industrial /Commercial /Institutional Steam Generating Units since they were installed in 1984 and 1976 (prior to the June 9, 1989 effective date for the NSPS)..

Process Description

Operations at the facility consist of a kill department and further processing. Source numbers SN-01 through SN-05 are natural gas fired, Williams & Davis boilers which provide steam for the facility. A Kemco Water Heater (SN-34), and three Fulton Thermal Fluid Heaters (SN-34, SN-41, and SN-42) also provide process heat for the facility.

Kill Department

Chickens are delivered to the unloading  dock by flat bed trucks and remain there until scheduled for the kill department. The birds are then unloaded and transferred, via conveyor line, to the kill room. There they are stunned and killed, then proceed through the scalders in the scalding room. The line proceeds to the picking room where the feathers are removed. The birds are routed through a final wash and then feet and heads are removed. They are then deposited into a bird sorter system to be sorted by weight and delivered to the evisceration area. The birds are transferred from the hang line to the evisceration line. They proceed through the evisceration area and are then removed from the line. Next the birds are inspected and routed to the chillers. After the chillers, the birds are then sized and placed with ice into tubs to be sent to cut-up or to the further processing department.

Further Processing Department

There are ten (10) production lines, in the further processing department, all producing fully-cooked chicken products. The predominant method of cooking is the use of gas-fired ovens with steam added to the process. These ovens are identified as SN-08, SN-09, SN-11 through SN-19, SN-21 through SN-26, SN-29, SN-31, SN-36, and SN-39. Some processes use gas-fired fryers to prepare the chicken portions prior to cooking (SN-07, SN-10, SN-20, SN-30, SN-40). The facility also has one indirect fired fryer (SN-43) and two indirect fired ovens which are listed as insignificant activities. All the lines prepare and portion the meat and then the product is cooked, frozen and packaged.

Regulations

The facility is subject to regulations under the *Arkansas Air Pollution Control Code* (Air Code) and the regulations of the *Arkansas Plan of Implementation for Air Pollution Control* (SIP). Two of the boilers (SN-01 and SN-02), the Kemco hot water heater (SN-34), and the larger Fulton Thermal Fluid Heater (SN-38) are subject to *New Source Performance Standards* (NSPS), 40 CFR Part 60, Subpart Dc -- Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The two smaller Fulton Thermal Fluid Heaters (SN-41 & SN-42) are not subject to *New Source Performance Standards* (NSPS), 40 CFR Part 60, Subpart Dc -- Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units because they are rated 8.0 MMBTU/Hr (less than the 10 MMBTU/hr threshold).

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

Table 1 - Total Allowable Emissions

Total Allowable Emissions		
Pollutant	Emissions Rates	
	lb/hr	tpy
PM	11.9	48.2
PM ₁₀	11.9	48.2
SO ₂	3.6	0.6
VOC	3.6	4.1
CO	14.6	62.3
NO _x	17.5	74.1

Section III: PERMIT HISTORY

The Tyson Foods, Inc. - Berryville Plant was originally constructed and commenced operation in 1952 without an air permit.

Permit No. 1358-A was issued to Tyson Foods, Inc. - Berryville Processing Plant on April 20, 1993. The original permit listed 5 boilers (SN-01 through SN-05). Emission limits were listed as 51.36 tpy for NO_x and 12.84 tpy for CO.

Permit No. 1358-AR-1 was issued to Tyson Foods, Inc. - Berryville Further Processing Plant on June 30, 1995. Several pieces of natural gas fueled equipment (SN-06 through SN-37) were listed for the first time on this permit. The plantwide limit for natural gas consumption was listed for the first time in this permit at 1,415,305,000 scf per 12 months. Permit limits were listed as; PM/PM₁₀ - 11.2 tpy, SO₂ - 3.7 tpy, VOC - 4.7 tpy, CO - 22.9 tpy, NO_x - 88.8 tpy and CH₄ - 4.6 tpy.

Permit No. 1358-AR-2 was issued to Tyson Foods, Inc. - Berryville Further Processing Plant on July 26, 1999. A thermal fluid heater (SN-38), oven (SN-39), and a fryer (SN-40) were added and three small ovens (SN-32, SN-33, and SN-37) were removed on this permit. The heat input to the Thermal Fluid Heater (SN-38) was limited to 5.0 MMBtu/hr. The plantwide limit for natural gas consumption continued at 1,415,305,000 scf per 12 months. Permit limits were listed as; PM - 46.9 tpy, PM₁₀ - 46.9 tpy, SO₂ - 0.5 tpy, VOC - 2.9 tpy, CO - 21.8 tpy, and NO_x - 92.6 tpy.

Permit No. 1358-AR-3 was issued to Tyson Foods, Inc. - Berryville Further Processing Plant on April 21, 2000. The heat input to the thermal fluid heater (SN-38) was increased from 5 MMBTU/hr to 10.2 MMBTU/hr. All emissions due to natural gas combustion were revised based on the latest AP-42 emission factors. The plantwide limit for natural gas consumption continued at 1,415,305,000 scf per 12 months. Permit limits were listed as; PM - 49.8 tpy, PM₁₀ - 49.8 tpy, SO₂ - 0.5 tpy, VOC - 3.9 tpy, CO - 59.5 tpy, and NO_x - 70.8 tpy.

Section IV: EMISSION UNIT INFORMATION

Specific Conditions

1. The permittee will not exceed the emission rates set forth in the following table. [§19.501 et seq. of the Regulations of the Arkansas Plan of Implementation for Air Pollution Control, effective February 15, 1999 (Regulation 19) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Table 2 - Criteria Pollutants

SN	Description	Pollutant	lb/hr	Tpy
1	800 hp Boiler Natural Gas (33.6 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.3 0.1 0.1 2.9 3.4	*
2	500 hp Boiler Natural Gas (21.0 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.2 0.1 0.1 1.8 2.1	*
3	300 hp Boiler Natural Gas (12.6 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 0.1 0.1 1.1 1.2	*
4	250 hp Boiler Natural Gas (10.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 0.1 0.1 0.9 1.1	*
5	150 hp Boiler Natural Gas (6.3 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.6 0.7	*
6	No Longer in Service			

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7	Fryer #2 Natural Gas (2.4 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	1.8 <0.1 0.1 0.2 0.3	7.4** *
8	Oven #1 Natural Gas (1.3 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.2 0.2	*
9	Oven #2 Natural Gas (2.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
10	Fryer #3 Natural Gas (2.4 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	1.8 <0.1 0.1 0.2 0.3	7.4** *
11	Oven #3 Natural Gas (2.5 MMbtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
12	Oven #4 Natural Gas (2.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
13	Oven #5 Natural Gas (2.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*

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14	Oven #6 Natural Gas (2.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
15	Oven #7 Natural Gas (2.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
16	Oven #8 Natural Gas (2.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
17	Oven #9 Natural Gas (2.15 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
18	Oven #10 Natural Gas (2.15 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
19	Oven #11 Natural Gas (2.15 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
20	Fryer #4 Natural Gas (4.8 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	2.1 <0.1 0.1 0.4 0.5	7.4** *

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21	Oven #12 Natural Gas (2.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
22	Oven #13 Natural Gas (2.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
23	Oven #14 Natural Gas (2.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
24	Oven #15 Natural Gas (2.15 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
25	Oven #16 Natural Gas (2.15 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
26	Oven #17 Natural Gas (2.15 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
27	No Longer in Service			
28	No Longer in Service			
29	Oven #20 Natural Gas (2.15 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*

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30	Fryer #5 Natural Gas (2.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	1.8 <0.1 0.1 0.2 0.3	7.4** *
31	Oven #21 Natural Gas (2.5 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
32	No Longer in Service			
33	No Longer in Service			
34	Kemco Direct Contact Water Heater Natural Gas (17 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.2 0.1 0.1 1.5 1.7	*
35	Oven #24 Natural Gas (2.15 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
36	Oven #25 Natural Gas (2.15 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
37	No Longer in Service			
38	Fulton Thermal Fluid Heater Natural Gas (10.2 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.9 1.1	*

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39	Line #2 Oven Natural Gas (2.15 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.3 0.3	*
40	Line #10 Fryer Natural Gas (4.8 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	2.1 <0.1 0.1 0.4 0.5	7.4** *
41	Fulton Thermal Fluid Heater Natural Gas (8.0 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.7 0.8	*
42	Fulton Thermal Fluid Heater Natural Gas (8.0 MMBtu/hr)	PM ₁₀ SO ₂ VOC CO NO _x	0.1 <0.1 0.1 0.7 0.8	*
43	Indirect Fired Fryer	PM ₁₀	1.3	5.5 **

* tpy criteria pollutant emissions (other than particulate from frying) is based on the 1,480,409,000 standard cubic feet natural gas consumption limit in Specific Condition No. 6. Emissions limits from combustion of the natural gas consumption limit are: 5.7 tpy for PM₁₀, 0.6 tpy for SO₂, 4.1 tpy for VOC, 62.3 tpy for CO, and 74.1 tpy for NO_x

** particulate matter from the grease in the fryer.

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

Table 3 - Non-Criteria Pollutants

SN	Description	Pollutant	lb/hr	tpy
1	800 hp Boiler Natural Gas (33.6 MMBtu/hr)	PM	0.3	*
2	500 hp Boiler Natural Gas (21.0 MMBtu/hr)	PM	0.2	*

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3	300 hp Boiler Natural Gas (12.6 MMBtu/hr)	PM	0.1	*
4	250 hp Boiler Natural Gas (10.5 MMBtu/hr)	PM	0.1	*
5	150 hp Boiler Natural Gas (6.3 MMBtu/hr)	PM	0.1	*
6	No Longer in Service			
7	Fryer #2 Natural Gas (2.4 MMBtu/hr)	PM	1.8	7.4** *
8	Oven #1 Natural Gas (1.3 MMBtu/hr)	PM	0.1	*
9	Oven #2 Natural Gas (2.5 MMBtu/hr)	PM	0.1	*
10	Fryer #3 Natural Gas (2.4 MMBtu/hr)	PM	1.8	7.4** *
11	Oven #3 Natural Gas (2.5 MMBtu/hr)	PM	0.1	*
12	Oven #4 Natural Gas (2.5 MMBtu/hr)	PM	0.1	*
13	Oven #5 Natural Gas (2.5 MMBtu/hr)	PM	0.1	*
14	Oven #6 Natural Gas (2.5 MMBtu/hr)	PM	0.1	*
15	Oven #7	PM	0.1	*

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	Natural Gas (2.5 MMBtu/hr)			
16	Oven #8 Natural Gas (2.5 MMBtu/hr)	PM	0.1	*
17	Oven #9 Natural Gas (2.15 MMBtu/hr)	PM	0.1	*
18	Oven #10 Natural Gas (2.15 MMBtu/hr)	PM	0.1	*
19	Oven #11 Natural Gas (2.15 MMBtu/hr)	PM	0.1	*
20	Fryer #4 Natural Gas (4.8 MMBtu/hr)	PM	2.1	7.4** *
21	Oven #12 Natural Gas (2.5 MMBtu/hr)	PM	0.1	*
22	Oven #13 Natural Gas (2.5 MMBtu/hr)	PM	0.1	*
23	Oven #14 Natural Gas (2.5 MMBtu/hr)	PM	0.1	*
24	Oven #15 Natural Gas (2.15 MMBtu/hr)	PM	0.1	*
25	Oven #16 Natural Gas (2.15 MMBtu/hr)	PM	0.1	*
26	Oven #17 Natural Gas (2.15 MMBtu/hr)	PM	0.1	*
27	No Longer in Service			

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28	No Longer in Service			
29	Oven #20 Natural Gas (2.15 MMBtu/hr)	PM	0.1	*
30	Fryer #5 Natural Gas (2.5 MMBtu/hr)	PM	1.8	7.4** *
31	Oven #21 Natural Gas (2.5 MMBtu/hr)	PM	0.1	*
32	No Longer in Service			
33	No Longer in Service			
34	Kemco Direct Contact Water Heater Natural Gas (17 MMBtu/hr)	PM	0.2	*
35	Oven #24 Natural Gas (2.15 MMBtu/hr)	PM	0.1	*
36	Oven #25 Natural Gas (2.15 MMBtu/hr)	PM	0.1	*
37	No Longer in Service			
38	Fulton Thermal Fluid Heater Natural Gas (10.2 MMBtu/hr)	PM	0.1	*
39	Line #2 Oven Natural Gas (2.15 MMBtu/hr)	PM	0.1	*
40	Line #10 Fryer Natural Gas (4.8 MMBtu/hr)	PM	2.1	7.4** *

41	Fulton Thermal Fluid Heater Natural Gas (8.0 MMBtu/hr)	PM	0.1	*
42	Fulton Thermal Fluid Heater Natural Gas (8.0 MMBtu/hr)	PM	0.1	*
43	Indirect Fired Fryer	PM	1.3	5.5 **

* tpy criteria pollutant emissions (other than particulate from frying) is based on the 1,480,409,000 standard cubic feet natural gas consumption limit in Specific Condition No. 6. Emissions limits from combustion of the natural gas consumption limit are: 5.7 tpy for PM₁₀, 0.6 tpy for SO₂, 4.1 tpy for VOC, 62.3 tpy for CO, and 74.1 tpy for NO_x

** particulate matter from the grease in the fryer.

- Visible emissions will not exceed the limits specified in the following table of this permit as measured by EPA Reference Method 9. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Table 4 - Visible Emissions

SN	Limit	Regulatory Citation
1, 2, 3, 4, 5, 34, 38, 41, and 42	5%	§18.501
8, 9, 11 through 19, 21 through 26, 29, 31, 35, 36, 39	10%	§18.501
7, 10, 20, 30, 40, and 43	20%	§19.503

- The permittee will not cause or permit the emission of air contaminants, including odors or water vapor and including an air contaminant whose emission is not otherwise prohibited by Regulation #18, if the emission of the air contaminant constitutes air pollution within the meaning of A.C.A. §8-4-303. [§18.801 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
- The permittee will not conduct operations in such a manner as to unnecessarily cause air contaminants and other pollutants to become airborne. [§18.801 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
- The permittee shall not consume more than 1,480,409,000 standard cubic feet of natural gas for any continuous 12 month period. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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7. The permittee will maintain monthly records which demonstrate compliance with Specific Condition #6. The permittee will update the records by the fifteenth day of the month following the month to which the records pertain. The permittee will keep the records onsite, and make the records 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]
8. There shall be no uncontrolled odors leaving this plant. Non-compliance with this condition shall be considered a violation of this permit. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
9. The permittee shall immediately clean any feathers from the parking area by manually cleaning the affected area or by using a street sweeper to clean the affected area. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
10. The permittee shall not store offal, feathers, debone material, and etc. outside for a period longer than twelve hours, unless this material is stored under refrigerated conditions. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

NSPS Requirements

11. The permittee shall comply with all applicable provisions of *New Source Performance Standards* (NSPS), 40 CFR Part 60, Subpart Dc, at all times. The permittee shall record and maintain records of the amounts of natural gas combusted in each boiler subject to this subpart (SN-01, SN-02, SN 34, and SN-38) during each month. The permittee is allowed to compute the fuel usages for SN-01, SN-02, SN-34, and SN-38 based on an allocation program. The allocated fuel usage for SN-01 will be 17.06 % of the facility fuel usage meter, the allocated fuel usage for SN-02 will be 10.66 % of the facility fuel usage meter, the allocated fuel usage for SN-34 will be 8.63 % of the facility fuel usage meter, and the allocated fuel usage for SN-38 will be 5.18 % of the facility fuel usage meter. [§19.705 of Regulation 19 and 40 CFR 60 – Subpart Dc]
12. The permittee is responsible for other requirements listed in Subpart Dc that may affect the facility. All records required by Subpart Dc shall be maintained by the permittee for a period of two (2) years following the date of such record. A copy of Subpart Dc is attached to this permit as Appendix A.[§19.705 of Regulation 19 and 40 CFR 60 – Subpart Dc]



Section V: INSIGNIFICANT ACTIVITIES

The Department deems the following types of activities or emissions as insignificant on the basis of size, emission rate, production rate, or activity in accordance with Group A of the Insignificant Activities list found in Regulation 18 and 19 Appendix A. Insignificant activity emission determinations rely upon the information submitted by the permittee in an application dated November 30, 2000 and modification application dated June 27, 2003.

Table 5 - Insignificant Activities

Description	Category
Pressure Washer	Group A, No. 1
FP Freezer Dehumidifier	Group A, No. 1
Heart & Liver Room Water Heater	Group A, No. 1
Electrical Room No. 3 Water Heater	Group A, No. 1
Lab Equipment – BK Broiler	Group A, No. 5
Lab Equipment – Fryer	Group A, No. 5
Emergency Generator – Fuel Oil	Group A, No. 12
Two Indirect-fired Ovens	Group A, No. 13

Section VI: GENERAL CONDITIONS

1. Any terms or conditions included in this permit that specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 *et seq.*) as the sole origin of and authority for the terms or conditions are not required under the Clean Air Act or any of its applicable requirements, and are not federally enforceable under the Clean Air Act. Arkansas Pollution Control & Ecology Commission Regulation 18 was adopted pursuant to the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 *et seq.*). Any terms or conditions included in this permit that specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 *et seq.*) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute.
2. This permit does not relieve the owner or operator of the equipment and/or the facility from compliance with all applicable provisions of the Arkansas Water and Air Pollution Control Act and the regulations promulgated under the Act. [A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
3. The permittee will notify the Department in writing within thirty (30) days after commencement of construction, completion of construction, first operation of equipment and/or facility, and first attainment of the equipment and/or facility target production rate. [§19.704 of the Regulations of the Arkansas Plan of Implementation for Air Pollution Control (Regulation 19) and/or A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
4. Construction or modification must commence within eighteen (18) months from the date of permit issuance. [§19.410(B) of Regulation 19 and/or §18.309(B) of the Arkansas Air Pollution Control Code (Regulation 18) and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
5. The permittee must keep records for five years to enable the Department to determine compliance with the terms of this permit--such as hours of operation, throughput, upset conditions, and continuous monitoring data. The Department may use the records, at the discretion of the Department, to determine compliance with the conditions of the permit. [§19.705 of Regulation 19 and/or §18.1004 of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
6. A responsible official must certify any reports required by any condition contained in this permit and submit any reports to the Department at the address below. [§19.705 of Regulation 19 and/or §18.1004 of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

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

7. The permittee will test any equipment scheduled for testing, unless stated in the Specific Conditions of this permit or by any federally regulated requirements, within the following time frames: (1) newly constructed or modified equipment within sixty (60) days of achieving the maximum production rate, but no later than 180 days after initial start-up of the permitted source or (2) existing equipment already operating according to the time frames set forth by the Department. The permittee must notify the Department of the scheduled date of compliance testing at least fifteen (15) days in advance of such test. The permittee must submit compliance test results to the Department within thirty (30) days after the completion of testing. [§19.702 of Regulation 19 and/or §18.1002 of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
8. The permittee will provide: [§19.702 of Regulation 19 and/or §18.1002 of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
 - a. Sampling ports adequate for applicable test methods
 - b. Safe sampling platforms
 - c. Safe access to sampling platforms
 - d. Utilities for sampling and testing equipment
9. The permittee will operate equipment, control apparatus and emission monitoring equipment within their design limitations. The permittee will maintain in good condition at all times equipment, control apparatus and emission monitoring equipment. [§19.303 of Regulation 19 and/or §18.1104 of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
10. If the permittee exceeds an emission limit established by this permit, the permittee will be deemed in violation of said permit and will be subject to enforcement action. The Department may forego enforcement action for emissions exceeding any limits established by this permit provided the following requirements are met: [§19.601 of Regulation 19 and/or §18.1101 of Regulation 18 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
 - a. The permittee demonstrates to the satisfaction of the Department that the emissions resulted from an equipment malfunction or upset and are not the result of negligence or improper maintenance, and the permittee took all reasonable measures to immediately minimize or eliminate the excess emissions.

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

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

15. This permit shall be available for inspection on the premises where the control apparatus is located. [A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
16. This permit authorizes only those pollutant emitting activities addressed herein.
[A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
17. This permit supersedes and voids all previously issued air permits for this facility.
[Regulation 18 and 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

APPENDIX A

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