ADEQ
MINOR SOURCE
AIR PERMIT

Permit #: 1869-AR-2

IS ISSUED TO:

Husqvarna Outdoor Products, Inc. - Wilson Street Plant
1111 Wilson Street
Nashville, Arkansas 71852
Howard County
AFIN: 31-00124

THIS PERMIT IS Husqvanarna Outdoor Products, Inc. - Wilson Street Plant'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:

Mike Bates
Chief, Air Division

Date Amended

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Section I: FACILITY INFORMATION

PERMITTEE:	Husqvarna Outdoor Products, Inc. - Wilson Street Plant
AFIN:	31-00124
PERMIT NUMBER:	1869-AR-2
FACILITY ADDRESS:	1111 Wilson Street Nashville, AR 71852
COUNTY:	Howard County
CONTACT PERSON:	Ms. Jerri Brock
CONTACT POSITION	Safety & Environmental Manager
TELEPHONE NUMBER:	870-845-6572
REVIEWING ENGINEER:	Patty Campbell
UTM Zone	15
UTM North-South (Y):	3754.4 km N
UTM East-West (X):	421.5 km E

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Section II: INTRODUCTION

Summary

Husqvarna Outdoor Products, Inc. (Husqvarna), formerly Electrolux Home Products, operates an industrial facility located at 1111 Wilson Street in Nashville, Arkansas 71852. With this permitting action Husqvarna has requested modifications to better reflect its current operations and process chemicals. The proposed permit changes are as follows: (1) to incorporate several existing emission sources as insignificant activities, (2) increase the gasoline throughput limit for the engine test booths and repair tables (SN-04) from six to 20 gallons per hour, (3) to change the compliance demonstration for the hourly gasoline throughput limit by calculating an average usage rate on a monthly basis, (4) to increase the maximum cleaning solvent usage in the print shop (SN-02) from 200 to 350 gallons per year, and (5) to decrease the maximum cleaning solvent usage facility-wide for the equipment cleaning operations (SN-06) from 7,500 to 5,000 gallons per year. Husqvarna will continue to operate only its existing manufacturing equipment. Total facility emissions will be permitted at: 0.3 tons/yr PM/$PM_{10,}$ 0.3 ton/yr SO_x, 39.7 tons/yr VOCs, 87.9 tons/yr CO, 2.7 tons/yr NO_x, 2.25 tons/yr Ammonia and 5.33 tons/yr HAPs.

Existing emission sources newly listed as Insignificant Activities are as follows:

1. Molding machine, used for production of plastic clamshells;
2. Grinder Unit connected to molding machine;
3. Touch-up painting activities at multiple locations;
4. Ultrasonic cleaning machine in print shop (SN-02);
5. Equipment repair operations (use of petroleum-based products);
6. Packaging of refurbished equipment, including shrink-wrapper;
7. Small (maximum 30 gallon) parts washer units at multiple locations;
8. Miscellaneous cleaning chemicals (use of aqueous industrial detergents and granular soaps); and
9. Maintenance Shop activities.

Process Description

Two distinct types of activities occur at this facility: 1) the repair and refurbishing of returned chain saws and lawn and garden equipment products and 2) the production of plastic string line for weed trimmers and of the plastic "clamshells" for packaging the spools. Equipment cleaning operations are performed during various stages of the repair and refurnishing process.

Equipment Repair and Refurbishing Operations

The product repair operations consist of refurbishing of returned goods, i.e., defective chain saws and lawn and garden equipment. Three distinct operations are performed: 1) salvageability determination, 2) product repair and refurbishing, and 3) performance testing.

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Salvageability Determination: Defective products are received at the Wilson Street Plant. The returned goods are then inspected to determine if salvage is possible. This process occurs at the engine test booths and repair tables (SN-04), where an attempt is made to start each unit. Returned gasoline-powered products, which still run are considered salvageable and are sent to the repair and refurbishing area. Inoperable gasoline-powered products are scrapped. Working parts are stripped from these units for reuse. The remaining materials are shredded. Recovered metal is sold to a recycling company; spent batteries are sent to a recycler; and scrap plastic is disposed of as solid waste. Battery powered and electric lawn and garden equipment are also evaluated for salvageability. The majority of these returned goods are not defective. Such units are cleaned and prepared for resale. A certain percentage of these products will not run. Due to product liability considerations, no attempt is made to refurbish such equipment.

Product Repair and Refurbishing: Salvageable products are repaired for resale at discount prices. These repair operations are primarily mechanical in nature. Small quantities of lubricants, greases, oils and similar petroleum-based materials are processed during refurbishing of equipment. The fugitive emissions in the repair area from the petroleum-based materials are exhausted via the plant's general ventilation system. These emissions are considered to be an insignificant activity.

Performance Testing: Gasoline products are performance tested to determine salvageability and also after repair is complete. This testing is performed at the **engine test booths and repair tables (SN-04)**. During testing, various gas powered products are fueled with a mixture of unleaded gasoline and motor oil, started, and then operated for a short period of time in order to check for defects and make necessary adjustments. Excess gasoline is removed from the equipment using a vacuum system ("degassing process'). Gasoline is dispensed at the engine test booths from centralized "day" tanks using a closed system. The day tanks are portable 30 gallon containers. The fuel removed from the equipment is sent back to these tanks. All of the engine test booths and repair tables at the facility are covered under a plant-wide "emissions bubble." Emissions from fueling and combustion are accounted for at SN-04. Repaired products are cleaned and packaged for resale as refurbished units.

Equipment Cleaning Operations: Equipment cleaning operations are performed during various stages of the product repair and refurbishing process. These activities include: 1) operation of a two-stage washer system and 2) manual touch-up cleaning of various components. A third cleaning operation, small parts washer stations, is considered an insignificant activity.

An automated, **two-stage washer system (SN-07)** is used to clean residual dirt, grass, and oil and grease from the repaired products. The products are first washed in a tank of hot water (stage #1). An industrial detergent is used as a cleaning agent. The units then receive a hot water rinse in a second tank (stage #2). After cleaning the products are dried using a forced-air blower. The two-stage washer is heated using natural gas. Each stage is equipped with a separate burner. The two gas-fired burners each have an input heat capacity of 0.400 million British Thermal Units (BTU) per hour. The burners are exhausted directly to the atmosphere via two separate vents. No air pollution control equipment is used.

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Miscellaneous, touch-up **equipment cleaning activities (SN-06)** are performed at multiple locations throughout the facility, including the new Paint Room, during the repair and refurbishing process. The products are wiped down with a volatile solvent to remove residual oil and grease. Isopropyl alcohol is used as the cleaning agent. The solvent is manually applied using spray bottles and/or wiping cloths. The units are allowed to air dry prior to further processing. The fugitive solvent emissions are exhausted via the plant's general ventilation system.

Inspection and Packaging Operations: After cleaning, the repaired products are given a final visual inspection. The units are then packaged for resale as refurbished equipment. The products are packed in cardboard boxes and/or shrink-wrapped in plastic. Packaging operations are considered insignificant activities.

Production of Plastic Trimmer Line and Clamshell Packaging

Plastic trimmer line is manufactured at the Wilson Street Plant. A number of extruder machines are operated for this purpose. The extrusion process is performed as follows: The plastic pellets are placed in the feed hopper of an extruder machine. Electric heaters are then used to melt the pellets. The molten plastic is then extruded from the extruder in a continuous thread and wound onto large cylinders. After cooling, the trimmer line is transferred onto small spools.

The small spools of trimmer line are packaged in plastic "clamshells." The clamshells are made on-site in a specialized molding machine. The molding process is performed as follows: The plastic pellets are placed in the feed hopper of the molding machine. Electric heaters are then used to melt the plastic pellets. The molten plastic is then molded into clamshell containers. The packaging materials are subsequently filled with spools of trimmer line. The clamshell molding machine is equipped with a grinder unit. Scrap plastic from the molding operations is shredded for re-use.

The extruders for the string trimmer line, the clamshell molding machine and the grinder are insignificant sources of air emissions. The plastic pellets contain no VOCs and no HAPs. The excess heat from the extruder machines and molding machine is exhausted directly to the atmosphere via multiple vents with no air pollution equipment used. The grinder is equipped with a bag filter and is vented inside the production building.

Print Shop Operations - Deleted

The **Print Shop Operations (SN-02)** for production of adhesive labels and decals was permanently shutdown in April 2006 and a request to delete the SN-02 emission sources has been made. All the process equipment and chemicals were transferred to another facility. Adhesive labels and decals will no longer be made on-site. Two other printing processes, silk screening (SN-01) and pad printing (SN-03), were previously shutdown and are listed as deleted emission sources. The former Print Shop area will now be used for miscellaneous parts subassembly operations, which are already listed as an insignificant source.

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Miscellaneous Operations and Emission Sources
Several miscellaneous production operations and emissions sources are described in the following paragraphs.

Gasoline Storage Tank: An above ground tank is used to store unleaded gasoline at the Wilson Street Plant. The fuel is subsequently processed in the engine test booths and repair tables. The tank is a horizontal unit with a capacity of 575 gallons. The gasoline storage tank is designated SN-05. Unleaded gasoline is the only fuel stored in the tank. It takes less than one hour to fill the tank and it is filled no more than once per week. Tank emissions are vented directly to the atmosphere via a single stack. No air pollution control equipment is used.

Touch-up Painting Activities: Emissions from touch-up painting are considered an insignificant activity. Husqvarna is requesting permission to construct a small **Painting Room** (about 12 feet by 12 feet) within the old boiler room. The new Painting Room will be equipped with several exhaust fans for general ventilation. Touch-up painting, sanding and hand-wipe cleaning of refurbished chain saws and other metal components will be performed in the Painting Room on an as-needed basis. The units will be manually sanded using sandpaper and hand-held power tools. Any dust generated during the sanding activities will remain within the Painting Room. The surface coatings are applied using 12-ounce, aerosol spray cans. Husqvarna plans to increase the throughput of aerosol spray paints from 50 to 200 cans per month. The higher usage rate is needed to meet an increase in the number of returned chain saw products for refurbishing. At this level of paint usage, the emissions of VOCs and HAPs from the touch-up painting operation will still qualify as an insignificant activity. Furthermore, the emissions from all of the insignificant sources combined at the Wilson Street Plant will still remain below the applicable regulatory thresholds. The painted products are allowed to air dry prior to packaging.

Parts Washers: Several small parts washer stations are used to clean various metal and plastic components during product repair and refurbishing. Each unit has a tank capacity between 10 and 30 gallons. Mineral spirits (petroleum naphtha) is utilized as the cleaning solvent. The units are kept closed except in loading or unloading parts. Solvent emissions from these units are considered to be an insignificant activity.

Maintenance Shop Operations: A small maintenance shop is used to support plant operations. Activities in the shop may include metal milling, turning, sawing, drilling, brazing, welding and sandblasting. Any emissions generated during shop activities are considered to be insignificant.

Table 1 - Regulations

Source No.	Regulation Citations
Facility-wide	Regulation #18, Arkansas Air Pollution Control Code, effective February 15, 1999
Facility-wide	Regulation #19, Arkansas Plan of Implementation for Air Pollution Control, effective May 30, 2006

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

Table 2 - Total Allowable Emissions

Total Allowable Emissions		
Pollutant	**Emissions Rates**	
	lb/hr	**tpy**
PM	0.4	0.3
PM_{10}	0.4	0.3
SO_x	0.4	0.3
VOC	21.7	28.6
CO	155.7	87.9
NO_x	4.2	2.7
Acetaldehyde(1)	0.04	0.02
Benzene(1)	0.82	0.25
Cumene(1)	0.36	0.11
Ethyl Benzene(1)	0.82	0.25
Formaldehyde(1)	0.11	0.06
Hexane(1)	0.82	0.25
MTBE(1)	2.08	0.62
Naphthalene(1)	0.36	0.11
Propionaldehyde(1)	0.04	0.02
Toluene(1)	4.29	1.26
Xylene(1)	1.97	0.58

(1) HAPs Summary Total = 3.53 tpy.

MTBE = Methyl Tertiary Butyl Ether

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Section III: PERMIT HISTORY

Air Pollution Prevention Plan #0008-AP3-R0 was issued on December 29, 1998. This plan allowed emissions of 0.2 tpy PM/PM_{10}, 0.1 tpy SO_2, 43.5 tpy VOC, 87.2 tpy CO, 2.9 tpy NO_x, and 9.7 tpy HAPs.

Permit #1869-A was issued on May 8, 2001. This permitting action accounted for a change in the regulations, the installation of an automated two-stage washer system (SN-06), the removal of a pad printing process (SN-03), the removal of the silk screening process (SN-01) and increased throughput rates for the existing sources. Permitted emission rates were: 0.3 tpy PM/ PM_{10}, 0.3 tpy SO_2, 45.1 tpy VOC, 87.5 tpy CO, 2.7 tpy NO_x, and 4.1 tpy HAPs.

Permit #1869-AR-1 was issued on October 23, 2001. This permitting action accounted for an increase in the maximum gasoline throughput at SN-04 from 3.6 gallons per hour to 6.0 gallons per hour. Permitted emission rates were: 0.3 tpy PM/PM_{10}, 0.3 tpy SO_2, 45.1 tpy VOC, 87.5 tpy CO, 2.7 tpy NO_x, 1.8 tpy Ammonia (NH_3) and 4.1 tpy HAPs.

Section IV: EMISSION UNIT INFORMATION

Specific Conditions

1. The permittee will not exceed the emission rates set forth in the following table. Compliance with this condition will be demonstrated using Specific Conditions #6, #7, #8, #9, and #10. [§19.501 *et seq.* of the Regulations of the Arkansas Plan of Implementation for Air Pollution Control, effective May 30, 2006, (Regulation #19) and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Table 3 - Criteria Pollutants

SN	Description	Pollutant	lb/hr	tpy
SN-01 - 03	Deleted Sources	n/a	–	–
SN-04	Engine Test Booths and Repair Tables	PM_{10}	0.3	0.2
		SO_2	0.3	0.2
		VOC	5.6	3.2
		CO	155.6	87.5
		NO_x	4.1	2.3
SN-05	Gasoline Storage Tank (575 gallon capacity)	VOC	6.0	0.3
SN-06	Equipment Cleaning Operations	VOC	10.0	25.0
SN-07	Two-Stage Washer System (0.800 mm-BTU/hr, natural gas)	PM_{10}	<0.1	0.1
		SO_2	<0.1	<0.1
		VOC	<0.1	0.1
		CO	0.1	0.4
		NO_x	0.1	0.4

2. The permittee will not exceed the emission rates set forth in the following table. Compliance with this condition will be demonstrated using Specific Conditions #6, #7, #8, #9, and #10. [§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]

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Table 4 - Non-Criteria Pollutants

SN	Description	Pollutant	lb/hr	tpy
SN-01 - 03	Deleted Sources	n/a	–	–
SN-04	Engine Test Booths and Repair Tables	PM	0.3	0.2
		Acetaldehyde	0.04	0.02
		Benzene	0.40	0.23
		Cumene	0.18	0.10
		Ethyl Benzene	0.40	0.23
		Formaldehyde	0.11	0.06
		Hexane	0.40	0.23
		MTBE	1.01	0.57
		Naphthalene	0.18	0.10
		Propionaldehyde	0.04	0.02
		Toluene	2.09	1.17
		Xylene	0.96	0.54
SN-05	Gasoline Storage Tank (575 gallon capacity)	Benzene	0.42	0.02
		Cumene	0.18	<0.01
		Ethyl Benzene	0.42	0.02
		Hexane	0.42	0.02
		MTBE	1.07	0.05
		Naphthalene	0.18	<0.01
		Toluene	2.20	0.09
		Xylene	1.01	0.04
SN-06	Equipment Cleaning Operations	n/a	-	-
SN-07	Two-Stage Washer System (0.800 mm-BTU/hr, natural gas)	PM	<0.1	0.1

3. 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 5 - Visible Emissions

SN	Limit	Regulatory Citation
SN-04 & SN-07	5%	§18.501

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4. 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 §8-4-31]

5. The permittee will not conduct operations in such a manner as to unnecessarily cause air contaminants and other pollutants to become airborne. [§18.901 of Regulation 18, and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

Facility-wide Conditions

6. Unleaded gasoline will be the only fuel used at the engine test booths and repair tables (SN-04) and stored in the gasoline storage tank (SN-05). [§18.1004 of Regulation #18 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

7. The permittee will not use more than 22,500 gallons of gasoline in the engine test booths and repair tables (SN-04) in any consecutive 12-month period. The permittee will not use more than 20 gallons per hour of unleaded gasoline (as a monthly average) in the engine test booths (SN-04). The permittee will maintain records of the amount of gasoline used per month and the hours of operation per month of the test booths. These records shall be used to calculate the average hourly rate of gasoline consumption in the test booths. This value shall be determined by dividing the monthly quantity of gasoline consumed by the total hours of operation of the test booths. A rolling 12-month total of the amount of gasoline used will also be maintained. The records will be kept on-site and made available to Department personnel upon request. All of the engine test booths and repair tables (SN-04) at the facility are covered under a plant-wide "emissions bubble." [§18.1004 of Regulation #18, §19.705 of Regulation #19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

8. The permittee will not use more than 5,000 gallons of solvent in the equipment cleaning operations (SN-06) in any consecutive 12-month period. The permittee will maintain records of the amount of solvent processed on a monthly basis. A rolling 12-month total of the amount of solvent will also be maintained. The records will be kept on-site and made available to Department upon request. [§18.1004 of Regulation #18, §19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

9. The cleaning solvent used at SN-06 will have a maximum VOC content of 10.00 lb/gal. The cleaning solvent will not contain any HAPs. The permittee will keep Material Safety Data Sheets (MSDSs) and/or other records that document compliance with this condition. These records will be updated whenever a new cleaning solvent is used. The records will 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 permittee will burn only natural gas in the two-stage washer system (SN-07). [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

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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 Regulations #18 and #19 Appendix A. Insignificant activity emission determinations rely upon the information submitted by the permittee in an application dated **May 23, 2006**

Table 6 - Insignificant Activities

Description	Category
Portable 30-gallon Gasoline "Day" Tanks	A13
Extruder Machines, production of plastic trimmer line	A13
Molding Machine, production of plastic clamshells	A13
Grinder Unit, connected to molding machine	A13
Touch-Up Painting Activities (in a newly constructed (12' x 12') Painting Room)	A13
Equipment Repair Operations (Use of petroleum-based products)	A13
Packaging of Refurbished Equipment, including Shrink-wrapper	A13
Small Parts Washer Units (10-30 gallon tanks of solvent)	A13
Miscellaneous Cleaning Chemicals (Use of aqueous industrial detergents and granular soaps)	A13
Maintenance Shop Activities	A13

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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
Air 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.

    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 will 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; and

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

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 will 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]

18. The permittee must pay all permit fees in accordance with the procedures established in Regulation No. 9. [A.C.A §8-1-105(c)]