DEQ
GENERAL AIR PERMIT
FOR
MINOR SOURCE
COTTON GINS

Permit No. : 1927-AGP-000

IS ISSUED TO:

All Qualifying Minor Source Cotton Gins within the State of Arkansas

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

August 10, 2020 AND August 9, 2025

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

Signed:

William K. Montgomery
Interim Associate Director
DEQ, Office of Air Quality

February 6th, 2020
Date

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List of Acronyms and Abbreviations

Ark. Code Ann.	Arkansas Code Annotated
AFIN	Arkansas DEQ Facility Identification Number
C.F.R.	Code of Federal Regulations
CO	Carbon Monoxide
HAP	Hazardous Air Pollutant
lb/hr	Pound Per Hour
No.	Number
NO_x	Nitrogen Oxide
NOI	Notice Of Intent
PM	Particulate Matter
PM_{10}	Particulate Matter Smaller Than Ten Microns
SO_2	Sulfur Dioxide
Tpy	Tons Per Year
UTM	Universal Transverse Mercator
VOC	Volatile Organic Compound

Section I: INTRODUCTION

Summary of Permit Activity

This permit is the fourth renewal of Air Permit #1927-AGP-000 for certain minor source Cotton Gins in Arkansas (referred to as the "General Permit"). Emission factors for nearly all sources have been updated as have the throughputs for each type of cotton gin.

Some gins may have small production rates and are not required to obtain a permit. The following table describes the type of gin as defined in this permit and the maximum number of bales that can be produced without obtaining a permit or registration.

Type	Maximum Bales Allowed Without Obtaining a Registration or Permit	Maximum Bales Allowed by This Minor Source Permit
Type 1 Gin	9,290 per year	105,082 per year
Type 2 Gin	11,850 per year	127,320 per year
Type 3 Gin	9,970 per year	115,039 per year
Type 4 Gin	14,740 per year	155,610 per year
Other		Calculated in NOI

Gins that have or will have larger throughputs than the maximum bales allowed for a Minor Source can apply for the Title V General Permit for Cotton Gins.

Definitions

The following definitions shall apply for the purpose of this permit:

Air Contaminant – any solid, liquid, gas, vapor, or any combination thereof. The following shall not be considered air contaminants: water vapor, oxygen gas, carbon dioxide, nitrogen gas, hydrogen gas, and inert gases.

Air Pollution - The presence in the outdoor atmosphere of one or more air contaminants in quantities, or characteristics, and of a duration that are materially injurious or can be reasonably expected to become materially injurious to human, plant, or animal life or to property, or that unreasonably interfere with enjoyment of life or use of property throughout the state or throughout the area of the state as shall be affected thereby. This definition can be found in Regulation 18 and is regulated by the Arkansas Code Annotated §8-4-303.

Bale of Cotton - a compressed and bound package of cotton lint, typically weighing about 480 pounds.

Boll - the capsule or pod of the cotton plant.

Carbon Monoxide or CO - a colorless, odorless, incombustible gas, formed during respiration, combustion, and organic decomposition and used in food refrigeration, carbonated beverages, inert atmospheres, fire extinguishers, and aerosols.

High Efficiency Cyclone - for purposes of this general permit for cotton gins, a High Efficiency Cyclone is either a 2D-2D or 1D-3D cyclone. Both the body and the cone of a 2D-2D cyclone are twice as long as the cyclone diameter. The body of a 1D-3D cyclone is the same length as the diameter, and the cone length is three times the diameter.

Insignificant Activity - activities which are deemed by the Division of Environmental Quality to be insignificant based on size, emission rate, production rate, or activity. A list of activities considered by the Division of Environmental Quality to be insignificant can be found in Appendices A and B of the Arkansas Plan of Implementation for Air Pollution Control.

Opacity - the degree to which air emissions reduce the transmission of light and obscure the view of an object in the background.

Open Fire or Open Burning – a fire in which a material is burned in the open or in a receptacle having no means for significantly controlling the fuel/air ratio.

Oxides of Nitrogen or NO_X - all oxides of nitrogen except nitrous oxide. (i.e. NO, NO_2, NO_3, and etcetera).

Particulate Matter or PM - any airborne, finely divided solid or liquid material with an aerodynamic diameter equal to or less than 100 micrometers.

Picking Harvesting - a machine that removes cotton lint and seeds from open bolls with rotating spindles, leaving unopened bolls on the plant. "First pick" cotton is obtained from the initial harvest of the season. It usually contains less trash than "second pick" cotton, obtained later in the harvest season. "Ground cotton" is obtained by picking up between the rows at season's end and has a high trash content.

PM_{10} - particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers as measured by a reference method based on Appendix J of 40 C.F.R. § 50, as of the effective date of the federal final rule published by EPA in the Federal Register on August 7, 1987 (52 FR 29467), or by an equivalent method designated in accordance with 40 C.F.R. § 53.

Stripper Harvesting - a machine the strips all bolls - opened (mature) and unopened (immature or green) - from the plant; strippers are used on short cotton plants, grown in arid areas of Texas, Oklahoma, and New Mexico. They collect larger amounts of trash (leaves, stems, and sticks) than picker harvesters.

Sulfur Dioxide or SO_2 - a colorless, extremely irritating gas or liquid used in many industrial processes.

Type 1 Gin – This type of gin is classified as a cotton gin with screened drums or cages controlling the lint cleaner and battery condenser exhausts. All other exhaust streams are controlled by high efficiency cyclones as defined in this permit. This type of gin also uses combined lint cleaners and mote systems rather than $1^{st}/2^{nd}$ stage lint cleaners and mote systems.

Type 2 Gin – This type of gin is classified as a gin with all exhaust streams controlled by high efficiency cyclones as defined in this permit. This type of gin also uses combined lint cleaners and mote systems.

Type 3 Gin – This type of gin is classified as a cotton gin with screened drums or cages controlling the lint cleaner and battery condenser exhausts. All other exhaust streams are controlled by high efficiency cyclones as defined in this permit. This type of gin uses $1^{st}/2^{nd}$ stage lint cleaners and mote systems.

Type 4 Gin – This type of gin is classified as a gin with all exhaust streams controlled by high efficiency cyclones as defined in this permit. This type of gin uses $1^{st}/2^{nd}$ stage lint cleaners and mote systems.

Volatile Organic Compounds or VOC - any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.

Process Description

Currently, all U.S. cotton in commercial production is harvested by machines of two types, picking and stripping. Machine-picked cotton accounts normally for 70 to 80 percent of the total cotton harvested, while the rest is machine-stripped. Machine picking differs from machine stripping mainly in the method by which the cotton lint and seed are removed from the plant. Machine picking is done by a spindle picker machine that selectively separates the exposed seed cotton from the open capsules, or bolls. In contrast, the mechanical stripper removes the entire capsule, with lint plus bract, leaf, and stem components in the harvested material.

The typical cotton-ginning process has the following five systems:

1. Unloading System
2. Seed Cotton Cleaning System
3. Overflow System
4. Ginning and Lint Handling System
5. Battery Condenser and Baling System

The permitted equipment associated with this facility is as follows:

1. Unloading fan
2. First Stage Seed Cotton Cleaning
3. Second Stage Seed Cotton Cleaning

4. Third Stage Seed Cotton Cleaning
5. Overflow System
6. Lint cleaners
7. Battery Condenser
8. Mote System
9. Cyclone Robber
10. Mote Robber
11. Mote Trash
12. Mote Cleaner
13. Master Trash

All other equipment must meet the criteria of an Insignificant Activity, or the facility is not eligible for this general permit.

Control devices used to control PM emissions from cotton ginning operations include cyclones, fine screen coverings, and perforated metal drums. Cyclones may be used to control the sources with high pressure exhaust or all of the operations at a gin. Screen coverings and perforated drums may be used to control PM emissions from sources with low-pressure exhaust, including the battery condenser and lint cleaners.

Some descriptions of the equipment are as follows from Appendix A[1]:

Unloading: This stage brings seed cotton from modules or trailers to a feed control unit that meters seed cotton to the gin's cotton cleaning systems. After seed cotton is removed, it is transported pneumatically into a screened separator that pulls the cotton out of the airstream. This is usually done with heated air to decrease moisture content. The separated airstream is then conveyed to a cyclone(s) for cleaning.

Seed Cotton Cleaners: Typically, the seed cotton is pneumatically conveyed with heated air to a series of cleaners and extractors. This system removes foreign matter such as soil, sticks, and leaf material from the seed cotton. The airstream from these stages continues through a centrifugal fan to a cyclone(s). The seed cotton is pulled directly into the machinery and separated from the conveying airstream by the cleaning mechanism or via a screened separator and dropped into cleaning machinery. The remaining seed cotton drops from each stage to the next via a rotary airlock and blow box. The second stage seed cotton cleaners often employ two cleaners in a series. In some cotton gins, there is an additional third stage seed cotton cleaner. The separated airstreams are also treated by a cyclone(s).

Overflow System: These systems follow the seed-cotton cleaning systems and maintain proper flow of seed cotton to the gin stands. Seed cotton drops from the last cleaner into the conveyor distributor, where it is distributed to the extractor feeders that meter cotton to each gin stand. Excess seed cotton is recirculated pneumatically and dropped back into the conveyor distributor

[1] Moore, T. (2015) Proposed Updates for AP-42 Cotton Gin Emission Factors. Retrieved from SHAREOK (a joint institutional repository for the University of Oklahoma Libraries, Oklahoma State University Libraries, and the University of Central Oklahoma Max Chambers Library).

via a screened separator as needed. The airstream from the overflow system continues through a centrifugal fan to a cyclone(s) and typically contains soil, small leaves, and lint fibers.

Lint Cleaning System: Once the seed cotton is ginned and the seeds separated from the lint, this cotton lint is further cleaned by a lint cleaning system. Cotton gins typically split this lint among multiple parallel lint cleaning lines that are later recombined. The lint is removed from the airstream with a rotating screened drum separator and directed further along the process. Lint cleaners remove fine trash, leftover seed, and some lint which can then be directed to a mote robber cyclone system. The airstream from this system continues to either direct input into ambient air or to a cyclone(s). There can be two stages of lint cleaning of lint cleaners in a series. A combined lint cleaning system is one in which two lint cleaning systems in series share the same exhaust point.

Battery Condenser: Lint is then pneumatically conveyed to the bale packaging system via the lint flue and then separated from the airstream by a large screened rotating drum separator called the battery condenser. The battery condenser then drops the lint onto the lint slide which feeds the lint into the bale press for compressing and packaging the lint into bales. The airstream from this system continues to either direct input to ambient air or to a cyclone(s). Material found in this waste airstream includes small trash, particulates, and lint fibers.

Cyclone Robber System: These systems are typically used to remove material captured by the battery condenser and lint cleaning system cyclones. Material captured is then conveyed by these systems from the trash exit of cyclones for the battery condenser and the lint cleaners in order to prevent material buildup there. This lint and debris can be treated as trash or be used to create motes which have economic value. The mote robber cyclone is used when a facility elects to gather this lint for mote creation. In this case, the lint is pneumatically moved from the previously mentioned trash exit, conveyed via the cyclone robber system to another cyclone which drops the motes into a machine for further cleaning.

Mote System: The material cleaned from the lint cleaners and in some cases, the mote robber cyclone system is then pneumatically conveyed into the mote system. This system can further clean the incoming airstream via a mote cleaner and then bale the motes. This system may also be done in a series of two stages similar to the lint cleaning system. Depending on the cotton gin, the first and second stages of this system may have separate or combined exhausts. This is the differentiator between a combined mote system and a first/second stage mote system.

Master Trash System: Cotton gins will produce by-products or trash as a result of processing the cotton at each stage of the cotton gin, this stream of trash must be removed from the machinery and handled by the trash system in order to not clog machinery and keep optimum performance of the facility. This trash is then conveyed through a cyclone(s) and the debris that falls out is typically consolidated into one storage area for removal.

Mote Cleaner System: In some gins, the mote cleaner will have its own centrifugal fan and output to a cyclone(s). This emission point is for those cases.

Mote Trash System: In facilities where a mote robber cyclone drops motes directly into the mote cleaner, the mote trash may be handled separately by a mote trash system. The mote trash is pulled from the trash exit of the mote cleaner and pneumatically conveyed through a centrifugal fan to the mote trash cyclone.

Regulations

The following table contains the regulations applicable to this permit. The listed federal regulations that are in effect as of the effective date of the General Permit renewal shall be applicable, as well as any subsequent amendments to such regulations, during the pendency of each General Permit renewal.

Regulations
Arkansas Air Pollution Control Code, Regulation 18, effective March 14, 2016
Regulations of the Arkansas Plan of Implementation for Air Pollution Control, Regulation 19, effective March 14, 2016

Total Allowable Emissions

The following table is a summary of emissions from the facility. This table, in itself, is not an enforceable condition of the permit.

TOTAL ALLOWABLE EMISSIONS		
Pollutant	Emission Rates	
	lb/hr	tpy
PM	N/A	170.7
PM_{10}	N/A	95.0
$PM_{2.5}$	N/A	*

*$PM_{2.5}$ will be assumed to be equal to PM_{10}

Section II: PERMIT HISTORY

August 2, 2000 - The first general permit 1927-AGP-000 was issued for cotton gins in Arkansas.

August 15, 2005 - The general permit 1927-AGP-000 was issued for cotton gins in Arkansas. There were no changes in this renewal.

August 9, 2010 – The general permit 1927-AGP-000 was issued for cotton gins in Arkansas. This was the second renewal of the general permit for cotton gin facilities.

April 1, 2015 – The general permit 1927-AGP-000 was issued for cotton gins in Arkansas. This was the third renewal of the general permit for cotton gins. The effective date for this permit was August 10, 2015, and expiration date of August 9, 2020.

Section III: EMISSION UNIT INFORMATION

Specific Conditions

1. The permittee shall comply with all emission rates and applicable requirements identified in the NOI submitted to and approved by the Division of Environmental Quality for the facility. [Reg.19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

2. The permittee shall not exceed the emission rates set forth in the following table. The sources covered under this condition include all air pollution emitting activities at the facility other than permitted Insignificant Activities included in the permittee's NOI. [Reg.19.501 *et seq.* and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
N/A	Facility Wide	PM_{10}	N/A	95.0

3. The Confirmation Letter is considered part of the General Permit. The permittee must keep a copy of the Confirmation letter at the nearest manned facility at all times. [Reg.19.501 *et seq.* and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

4. The permittee shall not exceed the emission rates set forth in the following table. The sources covered under this condition include all air pollution emitting activities at the facility other than permitted Insignificant Activities included in the permittee's NOI. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

SN	Description	Pollutant	lb/hr	tpy
N/A	Facility Wide	PM	N/A	170.7

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

SN	Limit	Regulatory Citation
Facility Wide	20%	19.503

6. The permittee shall not cause or permit the emission of air contaminants, including odors or water vapor and including an air contaminant whose emission is not otherwise prohibited by Regulation 18, if the emission of the air contaminant constitutes air

pollution within the meaning of Ark. Code Ann. § 8-4-303. [Reg.18.801 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

7. The permittee shall not conduct operations in such a manner as to unnecessarily cause air contaminants and other pollutants to become airborne. [Reg.18.901 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Facility-Wide Conditions

8. Facilities with screened drums or cages on lint cleaners and battery condensers and high efficiency cyclones on all other exhaust streams with combined lint cleaners and combined mote systems (Type 1 Gin) may process no more than 105,082 bales of cotton per rolling 12 month period under this permit. However, during months where the facility is not operating and has processed no cotton, the facility may elect to leave blank that month's throughput and update their records at their earliest convenience or once they start processing cotton again, whichever's first. [Reg.19.705 and Ark. Code Ann. §8-4-203 as referenced by §§ 8-4-304 and 8-4-311]

9. Facilities with high efficiency cyclones on all exhaust streams, combined stage lint cleaners, and combined stage mote systems (Type 2 Gin) may process no more than 127,320 bales of cotton per rolling 12 month period under this permit. However, during months where the facility is not operating and has processed no cotton, the facility may elect to leave blank that month's throughput and update their records at their earliest convenience or once they start processing cotton again, whichever's first. [Reg.19.705 and Ark. Code Ann. §8-4-203 as referenced by §§ 8-4-304 and 8-4-311]

10. Facilities with screened drums or cages on lint cleaners and battery condensers and high efficiency cyclones on all other exhaust streams with first and second stage lint cleaners, and first and second stage mote systems (Type 3 Gin) may process no more than 115,039 bales of cotton per rolling 12 month period under this permit. However, during months where the facility is not operating and has processed no cotton, the facility may elect to leave blank that month's throughput and update their records at their earliest convenience or once they start processing cotton again, whichever's first. [Reg.19.705 and Ark. Code Ann. §8-4-203 as referenced by §§ 8-4-304 and 8-4-311]

11. Facilities with high efficiency cyclones on all exhaust streams, first and second stage lint cleaners, and first and second stage mote systems (Type 4 Gin), may process no more than 155,610 bales of cotton per rolling 12 month period under this permit. However, during months where the facility is not operating and has processed no cotton, the facility may elect to leave blank that month's throughput and update their records at their earliest convenience or once they start processing cotton again, whichever's first. [Reg.19.705 and Ark. Code Ann. §8-4-203 as referenced by §§ 8-4-304 and 8-4-311]

12. Facilities choosing source specific limits as calculated in the NOI may process no more than the limit of bales of cotton per rolling 12 month period calculated in the NOI. However, during months where the facility is not operating and has processed no cotton,

the facility may elect to leave blank that month's throughput and update their records at their earliest convenience or once they start processing cotton again, whichever's first. [Reg.19.705 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

13. The permittee shall maintain monthly records to demonstrate compliance with Specific Conditions #8, 9, 10, 11, or 12. The permittee shall update these records by the fifteenth day of the month following the month to which the records pertain. The twelve month rolling totals and each individual month's data shall be maintained on-site and made available to Division of Environmental Quality personnel upon request.[Reg.19.705 and Ark. Code Ann. §8-4-203 as referenced by §§ 8-4-304 and 8-4-311]

14. Facilities that use conveyors and blow pipes to discharge the trash from the cotton gin system directly to ambient air and do not have a final cyclone must install and operate water suppression systems to reduce these emissions. [Reg.19.303 and Ark. Code Ann. §8-4-203 as referenced by §§ 8-4-304 and 8-4-311]

15. Facilities may not open burn any trade waste from the ginning process. [Reg.18.602 and Ark. Code Ann. §8-4-203 as referenced by §§ 8-4-304 and 8-4-311]

Section IV: INSIGNIFICANT ACTIVITIES

The permittee must submit a list of activities which are considered insignificant in Regulations 18 and 19 (Appendix A). The Division of Environmental Quality will document these activities in the Confirmation Letter if the insignificant activities are categorized in Group A.

Fuel burning equipment with a design rate less than 10 MMBtu/hr and whose aggregate pollutant emissions from all units listed do not exceed 5 tpy of any combination of HAPs and 10 tpy of any other pollutant may be included in the Insignificant Activity List if documented on the Notice of Intent (NOI).

Section V: 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 (Ark. Code Ann. § 8-4-101 *et seq.*) as the sole origin of and authority for the terms or conditions are not required under the Clean Air Act or any of its applicable requirements, and are not federally enforceable under the Clean Air Act. Arkansas Pollution Control & Ecology Commission Regulation 18 was adopted pursuant to the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*). Any terms or conditions included in this permit that specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (Ark. Code Ann. § 8-4-101 *et seq.*) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute.

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. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

3. The permittee shall notify the Division of Environmental Quality in writing within thirty (30) days after each of the following events: 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. [Reg.19.704 and/or Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

4. Construction or modification must commence within eighteen (18) months from the date of permit issuance. [Reg.19.410(B) and/or Reg.18.309(B) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

5. The permittee must keep records for five years to enable the Division of Environmental Quality to determine compliance with the terms of this permit such as hours of operation, throughput, upset conditions, and continuous monitoring data. The Division of Environmental Quality may use the records, at the discretion of the Division of Environmental Quality, to determine compliance with the conditions of the permit. [Reg.19.705 and/or Reg.18.1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

6. A responsible official, as defined in Regulations 18 and 19, must certify any reports requiring certification under any applicable federal regulation, Regulation 18, or Regulation 19. All reports shall be submitted to the Division of Environmental Quality at the address below. [Reg.19.705 and/or Reg.18.1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

   Arkansas Division of Environmental Quality

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

7. The permittee shall 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 Division of Environmental Quality. The permittee must notify the Division of Environmental Quality of the scheduled date of compliance testing at least fifteen (15) business days in advance of such test. The permittee must submit compliance test results to the Division of Environmental Quality within thirty (30) calendar days after the completion of testing. [Reg.19.702 and/or Reg.18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

8. The permittee shall provide: [Reg.19.702 and/or Reg.18.1002 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

   a. Sampling ports adequate for applicable test methods;
   b. Safe sampling platforms;
   c. Safe access to sampling platforms; and
   d. Utilities for sampling and testing equipment

9. The permittee shall operate equipment, control apparatus and emission monitoring equipment within their design limitations. The permittee shall maintain in good condition at all times equipment, control apparatus and emission monitoring equipment. [Reg.19.303 and/or Reg.18.1104 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 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 Division of Environmental Quality may forego enforcement action for emissions exceeding any limits established by this permit provided the following requirements are met: [Reg.19.601 and/or Reg.18.1101 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

    a. The permittee demonstrates to the satisfaction of the Division of Environmental Quality 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 Division of Environmental

Quality by the end of the next business day after the occurrence or the discovery of the occurrence.

c. The permittee must submit to the Division of Environmental Quality, 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 Division of Environmental Quality upon the presentation of credentials: [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 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 Division of Environmental Quality issued this permit in reliance upon the statements and presentations made in the NOI. The Division of Environmental Quality has no responsibility for the adequacy or proper functioning of the equipment or control apparatus. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

13. The Division of Environmental Quality may revoke or modify this permit when, in the judgment of the Division of Environmental Quality, 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. [Reg.19.410(A) and/or Reg.18.309(A) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 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 Division of Environmental Quality 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 Division of Environmental Quality denies the request to transfer within thirty (30) days of the receipt of the disclosure statement. The Division of Environmental Quality 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. [Reg.19.407(B) and/or Reg.18.307(B) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

15. This permit shall be available for inspection on the premises where the control apparatus is located. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

16. This permit authorizes only those pollutant emitting activities addressed herein. [Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

17. This permit supersedes and voids all previously issued air permits for this facility. [Reg. 18 and/or Reg. 19 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

18. The permittee must pay all permit fees in accordance with the procedures established in Regulation 9. [Ark. Code Ann. § 8-1-105(c)]

19. The permittee may request in writing and at least 15 days in advance of the deadline, an extension to any testing, compliance or other dates in this permit. No such extensions are authorized until the permittee receives written Division of Environmental Quality approval. The Division of Environmental Quality may grant such a request, at its discretion in the following circumstances:

    a. Such an extension does not violate a federal requirement;
    b. The permittee demonstrates the need for the extension; and
    c. The permittee documents that all reasonable measures have been taken to meet the current deadline and documents reasons it cannot be met.

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

20. The permittee may request in writing and at least 30 days in advance, temporary emissions and/or testing that would otherwise exceed an emission rate, throughput requirement, or other limit in this permit. No such activities are authorized until the permittee receives written Division of Environmental Quality approval. Any such emissions shall be included in the facility's total emissions and reported as such. The Division of Environmental Quality may grant such a request, at its discretion under the following conditions:

    a. Such a request does not violate a federal requirement;
    b. Such a request is temporary in nature;
    c. Such a request will not result in a condition of air pollution;

d. The request contains such information necessary for the Division of Environmental Quality to evaluate the request, including but not limited to, quantification of such emissions and the date/time such emission will occur;
e. Such a request will result in increased emissions less than five tons of any individual criteria pollutant, one ton of any single HAP and 2.5 tons of total HAPs; and
f. The permittee maintains records of the dates and results of such temporary emissions/testing.

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

21. The permittee may request in writing and at least 30 days in advance, an alternative to the specified monitoring in this permit. No such alternatives are authorized until the permittee receives written Division of Environmental Quality approval. The Division of Environmental Quality may grant such a request, at its discretion under the following conditions:
    a. The request does not violate a federal requirement; and
    b. The request provides an equivalent or greater degree of actual monitoring to the current requirements.

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

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