



DIVISION OF ENVIRONMENTAL QUALITY

**GENERAL AIR PERMIT FOR
MINOR SOURCE ANIMAL/HUMAN
REMAINS INCINERATOR FACILITIES**

PERMIT NUMBER: 1976-AGP-000

IS ISSUED TO:

All Qualifying Minor Source Animal/Human Remains Incinerator Facilities
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:

February 1, 2027 AND January 31, 2032

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

Signed:

A handwritten signature in black ink, appearing to read "Demetria Kimbrough", is written over a horizontal line.

Demetria Kimbrough
Deputy Director, Office of Air Quality

May 14, 2026

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
COMS	Continuous Opacity Monitoring System
HAP	Hazardous Air Pollutant
Hp	Horsepower
lb/hr	Pound Per Hour
NESHAP	National Emission Standards (for) Hazardous Air Pollutants
No.	Number
NOI	Notice of Intent
NO _x	Nitrogen Oxide
NSPS	New Source Performance Standards
PM	Particulate Matter
PM ₁₀	Particulate Matter Equal To Or Smaller Than Ten Microns
PM _{2.5}	Particulate Matter Equal To Or Smaller Than 2.5 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 a renewal of Air Permit #1976-AGP-000 for certain minor source Animal/Human Remains Incinerator Facilities in Arkansas (referred to as either the “General Permit” or “GP”). This is the 5th renewal for this General Permit. This renewal adds total HAPs emissions based on EPA 2020 National Emissions Inventory Technical Support Document: Cremation and updates the language in the General Conditions. Total allowable emissions are increasing by 7.68 tpy total HAPs.

Definitions

Air Contaminant - any solid, liquid, gas, or vapor, or any combination thereof. The following shall not be considered air contaminants: water vapor, oxygen, carbon dioxide, nitrogen, hydrogen, and inert gases. This definition can be found in 8 CAR pt. 40 and is regulated by the Arkansas Code Annotated 8-4-303.

Air Pollution - the presence in the outdoor atmosphere of one (1) or more air contaminants in quantities, or characteristics, and or a duration which are materially injurious, or can be reasonably expected to become materially injurious, to human, plant, animal life or property, or which 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 8 CAR pt. 40 and is regulated by the Arkansas Code Annotated 8-4-303.

Commercial Medical Waste Incineration Facility - Any facility that accepts medical waste materials for treatment and disposal by incineration from an off-site source and operating the treatment and disposal facility as a business for profit.

Contraband - Material collected by a government agency such as police, customs, agricultural inspection, or a similar agency of only illegal or prohibited goods such as illegal drugs, or agricultural food products that cannot be transported into the country or across state lines to prevent bio-contamination. Contraband does not apply to items either confiscated or incinerated by private, industrial, or commercial entities.

CO - Carbon Monoxide as measured by EPA Reference Method 10.

Facility - for the purposes of this permit a “facility” is defined as all animal/human remains incinerator units located on the same property or on contiguous or adjoining properties which share a common owner or operator.

Hospital waste - Discards generated at a hospital, except unused items returned to the manufacturer. The definition of hospital waste does not include human corpses, remains, and anatomical parts that are intended for interment or cremation.

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

Medical/Infectious Waste - Any waste generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals that is listed in paragraphs (1) through (7) of this definition. The definition of medical/infectious waste does not include hazardous waste identified or listed under the regulations in part 261 of this chapter; household waste, as defined in §261.4(b)(1) of this chapter; ash from incineration of medical/infectious waste, once the incineration process has been completed; human corpses, remains, and anatomical parts that are intended for interment; and domestic sewage materials identified in §261.4(a)(1) of this chapter.

- 1) Cultures and stocks of infectious agents and associated biologicals, including: cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live and attenuated vaccines; and culture dishes and devices used to transfer, inoculate, and mix cultures.
- 2) Human pathological waste, including tissues, organs, and body parts and body fluids that are removed during surgery or autopsy, or other medical procedures, and specimens of body fluids and their containers.
- 3) Human blood and blood products including:
 - a) Liquid waste human blood;
 - b) Products of blood;
 - c) Items saturated and/or dripping with human blood; or
 - d) Items that were saturated and/or dripping with human blood that are now caked with dried human blood; including serum, plasma, and other blood components, and their containers, which were used or intended for use in either patient care, testing and laboratory analysis or the development of pharmaceuticals. Intravenous bags are also include in this category.
- 4) Sharps that have been used in animal or human patient care or treatment or in medical, research, or industrial laboratories, including hypodermic needles, syringes (with or without the attached needle), Pasteur pipettes, scalpel blades, blood vials, needles with attached tubing, and culture dishes (regardless of presence of infectious agents). Also included are other types of broken or unbroken glassware that were in contact with infectious agents, such as used slides and cover slips.
- 5) Animal waste including contaminated animal carcasses, body parts, and bedding of animals that were known to have been exposed to infectious agents during research (including research in veterinary hospitals), production of biologicals or testing of pharmaceuticals.
- 6) Isolation wastes including biological waste and discarded materials contaminated with blood, excretions, exudates, or secretions from humans who are isolated to protect others from certain highly communicable diseases, or isolated animals known to be infected with highly communicable diseases.
- 7) Unused sharps including the following unused, discarded sharps: hypodermic needles, suture needles, syringes, and scalpel blades.

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NO_x - all oxides of nitrogen, except nitrous oxide, as measured by EPA Reference Method 7E. (i.e. NO, NO₂, NO₃, etc.)

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

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

PM₁₀ - particulate matter that is smaller than 10 micrometers in diameter.

SO₂ - Sulfur Dioxide, for the purposes of this permit, emissions of sulfur dioxide shall be determined by a mass balance calculation based on the sulfur content of the fuel oil used at the facility.

VOC - Volatile Organic Compounds as measured by EPA Reference Method 25A.

Process Description

Only two-stage, controlled-air incinerators fired by natural gas, propane, or distillate oil are approved under this general permit. In the first stage, waste is fed into the primary combustion chamber, which is operated with less than the stoichiometric amount of air required for combustion. Combustion air enters the primary chamber from beneath the incinerator hearths (below the burning bed of waste.) This air is called primary or under-fire air. In the primary (starved air) chamber, the low air-to-fuel ratio dries and facilitates volatilization of the waste, and most of the residual carbon in the ash burns. At these conditions, combustion gas temperatures are relatively low.

In the second stage, excess air is added to the volatile gases formed in the primary chamber to complete combustion. Secondary combustion temperatures are higher than primary chamber temperatures-typically 1600-2000°F. Additional fuel may be needed to maintain exit gas temperatures above the minimum required temperature.

Rules and Regulations

The following table contains the rules and 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.

Rules and Regulations
Arkansas Air Pollution Control Code, 8 CAR pt. 40, effective March 14, 2016
Rules of the Arkansas Plan of Implementation for Air Pollution Control, 8 CAR pt. 41, effective May 6, 2022

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	9.9
PM ₁₀	N/A	9.9
SO ₂	N/A	4.8
VOC	N/A	0.7
CO	N/A	6.4
NO _x	N/A	7.7
Total HAPs	N/A	7.68

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Section II: PERMIT HISTORY

Permit # 1976-AGP-000 was first written in 2000.

Permit # 1976-AGP-000 was renewed in 2005.

Permit # 1976-AGP-000 renewal #1 was modified on June 13, 2007 to change the address of Arkansas Department of Environmental Quality. This was an administrative amendment.

Permit # 1976-AGP-000 renewal #2 was issued on February 1, 2012. This was a renewal without any change or modification.

Permit # 1976-AGP-000 renewal #3 was issued on February 1, 2017. With this renewal, the recordkeeping was changed to require the start and stop times of each charge be recorded.

Permit # 1976-AGP-000 renewal #4 was issued on February 1, 2022. With this renewal, emission limits were lowered so all pollutants were below 10 tpy. These were pollutant thresholds which allowed for the facilities to not be required to submit an annual fee. The permit changed fuels allowed by removing any liquid fuel below 0.5 percent sulfur and added diesel with no usage limit. These changes allowed for a simpler permit and streamlined Notice of Intent.

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. [8 CAR § 41-605 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. [8 CAR § 41-401 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
01	Facility Wide	PM ₁₀	N/A	9.9
		SO ₂		4.8
		VOC		0.7
		CO		6.4
		NO _x		7.7

3. The permittee shall not exceed the criteria pollutant (PM₁₀, SO₂, VOC, CO, NO_x) emission limits established in the Confirmation Letter for this General Permit. The Confirmation Letter is considered part of the General Permit. The permittee must keep a copy of the letter at the nearest manned facility at all times. [8 CAR § 41-401 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. [8 CAR § 40-701 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
01	Facility Wide	PM	N/A	9.9
		Total HAPs		7.68

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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	5%	8 CAR § 40-401 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311

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 8 CAR pt. 40, if the emission of the air contaminant constitutes air pollution within the meaning of Ark. Code Ann. § 8-4-303. [8 CAR § 40-701 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. [8 CAR § 40-801(a) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
8. The incinerator shall only burn animal and human remains (i.e. corpses, carcasses, organs, etc.) and associated wastes (i.e. cardboard or paper containers, bedding, etc.). [8 CAR § 40-904 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
9. The incinerator shall not burn any hospital waste, medical/infectious waste, or any animal wastes including contaminated animal carcasses, body parts, and bedding of animals that were exposed to infectious agents during research (including research in veterinary hospitals), production of biologicals or testing of pharmaceuticals. [8 CAR § 40-904 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
10. The permittee shall record the start time, stop time, date, and weight of each charge burned in each unit using a copy of the record sheets provided (Appendix A) or a diary or computer record that contains the same information. A record shall also be kept of the secondary chamber's start- and mid-cycle temperature each time a unit is in operation. If the facility has more than one incinerator on site, individual incinerator records shall be kept on separate log sheets. [8 CAR § 40-904 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

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11. The permittee shall maintain records which demonstrate compliance with the hourly and annual charging rates established in the confirmation letter. These records shall be in the format of Appendix A or a similar format. These records shall be compiled by the fifteenth day of the month following the month to which the records pertain. For the annual charging rates, a twelve month rolling total and each individual month's data shall be kept on-site, kept in accordance with General Condition 5, and shall be made available to Department personnel upon request. [8 CAR § 40-904 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
12. The permittee may burn pipeline-quality natural gas, propane, or diesel as a fuel source at the facility with no limitation on the quantity of either fuel consumed. [8 CAR § 40-904 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
13. The permittee shall conduct weekly observations of the visible emissions from the facility in order to determine proper operation of the equipment. These readings shall be conducted by someone familiar with the visible emissions from the facility. EPA Method 9 opacity training and certification is not required for this observation. Records of these observations shall be kept on-site and be made available to Department personnel upon request. These records shall include the date and time of the observation, the name of the person making the observation, and whether the incinerator appears to be operating properly. These records shall be kept on-site, kept in accordance with General Condition 5, and shall be made available to Department personnel upon request.. A sample format for these records is attached in Appendix B. [8 CAR § 40-903 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
14. The permittee shall test for particulate matter exiting the pathological incinerator exhaust stack for each existing unit within ninety (90) days of permit issuance. Testing of new units shall be conducted within sixty (60) days of achieving the maximum production rate, but in no event greater than 180 days from the initial start-up of the source. The test must be conducted while the facility is operating at 90% of the permitted throughput or higher. If 90 percent of the permitted throughput cannot be achieved, the permittee shall be limited to 10 percent above the actual tested throughput. The permittee shall conduct the required test in accordance with General Condition 7 of this permit. If this facility has already performed the initial test required or testing has been performed on the same model incinerator under representative operating conditions, then the test need not be repeated. Records of this testing must be maintained on site and be made available to Department personnel upon request. The following EPA Reference Method shall be used as listed in Appendix A of 40 C.F.R. § 60. [8 CAR § 40-902 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Pollutant	EPA Test Method	Limit
PM	5	0.1 gr/dscf

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15. The permittee shall not emit particulate matter from any incineration unit in a concentration greater than 230 mg/dscm (0.1 gr/dscf) corrected to 12% CO₂. Compliance with this condition shall be demonstrated by compliance with Specific Condition #14. [8 CAR § 40-701 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
16. The pathological incinerator shall be operated only in accordance with the manufacturers' operating instructions. A copy of these instructions shall be posted at or near the incinerator. [8 CAR § 40-1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
17. Batch incinerator charging doors shall not be opened during an incineration cycle. [8 CAR § 40-1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
18. The permittee shall not ignite any pathological incinerator charge unless the secondary chamber has been correctly preheated to 1600°F during incineration, no additional waste shall be fed to the unit until repairs are made to assure that the minimum temperature is maintained at all times. [8 CAR § 40-1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
19. The facility shall not operate any incinerator without a functioning continuous secondary chamber temperature monitor. [8 CAR § 40-1004 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
20. This permit shall not be applicable to facilities which have a total rated incineration capacity of greater than 25 tons per day or a total waste combusted greater than 4250 tons per year. The permittee shall maintain documentation of the maximum design capacity of each pathological incineration unit operated at the facility. These records shall be made available to Department personnel upon request. [8 CAR § 41-605 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
21. The facility can request the Department in writing to allow the incineration of up to ten (10) percent of other waste by weight in the incinerator. The Department will respond in writing. The facility will produce the Department's letter of permission upon request. [8 CAR § 40-904 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]
22. The facility will maintain daily records of the amount of non-pathological waste burned in the incinerator. The facility will maintain the records onsite and produce the records upon request. [8 CAR § 40-904 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

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23. The facility will not operate a commercial medical waste incineration facility. A commercial medical waste facility is defined as any facility accepting medical waste materials for treatment and disposal by incineration from an off-site source and operating the treatment and disposal facility as a business for profit. [Ark. Code Ann. §8-6-1305(a)]

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Section IV: INSIGNIFICANT ACTIVITIES

The permittee must submit a list of activities which are considered insignificant in 8 CAR pt. 40 and pt. 41 (Appendix A). The Division of Environmental Quality will document these activities in the Confirmation Letter if the insignificant activities are categorized in Group A.

Section V: GENERAL CONDITIONS

1. Any terms or conditions included in this permit that specify and reference Arkansas Pollution Control & Ecology Commission 8 CAR pt. 40 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 8 CAR pt. 40 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 8 CAR pt. 40 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 rules 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. [8 CAR § 41-604 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. [8 CAR § 41-310(b) and/or 8 CAR § 40-209(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. [8 CAR § 41-605 and/or 8 CAR § 40-904 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 8 CAR pt. 40 and pt. 41, must certify any reports requiring certification under any applicable federal regulation, 8 CAR pt. 40, or 8 CAR pt. 41. All reports shall be submitted to the Division of Environmental Quality electronically using <https://eportal.adeq.state.ar.us> (or any successor system) or mail them to the address below. [8 CAR § 41-605 and/or 8 CAR § 40-904 and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Division of Environmental Quality
Office of Air Quality

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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. [8 CAR § 41-602 and/or 8 CAR § 40-902 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: [8 CAR § 41-602 and/or 8 CAR § 40-902 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. [8 CAR § 41-203 and/or 8 CAR § 40-1004 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: [8 CAR § 41-501 and/or 8 CAR § 40-1001 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, overnight delivery, or online at <https://eportal.adeq.state.ar.us> or using any successor system) 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 rules promulgated the Arkansas Water and Air Pollution Control Act. [8 CAR § 41-310(a) and/or 8 CAR § 40-209(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

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basis of the information revealed in the disclosure statement or other investigation or, deliberate falsification or omission of relevant information. [8 CAR § 41-307(b) and/or 8 CAR § 40-207(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. [8 CAR pt. 40 and/or 8 CAR pt. 41 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 8 CAR pt. 12. [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.

[8 CAR § 40-214(a) and/or 8 CAR § 41-316(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.

[8 CAR § 40-214(b) and/or 8 CAR § 41-316(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.

[8 CAR § 40-214(c) and/or 8 CAR § 41-316(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. [8 CAR § 40-901, 8 CAR § 41-601, 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]
23. Notices of Intent shall be submitted by electronic application using DEQ's ePortal System (or any successor system). Applicants may apply for a waiver from electronic submittal if unable to use the electronic submittal system. If DEQ grants a waiver approval to use a paper NOI, the applicant must use the approved paper form developed by DEQ. [8 CAR § 40-204(a) and/or 8 CAR § 41-304(a) and Ark. Code Ann. § 8-4-203 as referenced by Ark. Code Ann. §§ 8-4-304 and 8-4-311]

Appendix A: Incinerator Run Log Sheet

Appendix B: Visible Emissions Log Sheet

