

STATE OF MISSISSIPPI AIR POLLUTION CONTROL PERMIT

TO CONSTRUCT AIR EMISSIONS EQUIPMENT

THIS CERTIFIES THAT

48forty Solutions, LLC, Site 239-Jackson
750 Boling Street
Jackson, Mississippi
Hinds County

has been granted permission to construct air emissions equipment to comply with the emission limitations, monitoring requirements and other conditions set forth herein. This permit is issued in accordance with the provisions of the Mississippi Air and Water Pollution Control Law (Section 49-17-1 et. seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder.

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD

AUTHORIZED SIGNATURE
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Issued: _____

Permit No.: 1080-00272

SECTION 1. GENERAL CONDITIONS

- 1.1 This permit is for air pollution control purposes only.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.1.D.)
- 1.1 Any activities not identified in the application are not authorized by this permit.
(Ref.: Miss. Code Ann. 49-17-29(1)(b))
- 1.2 The knowing submittal of a permit application with false information may serve as the basis for the Permit Board to void the permit issued pursuant thereto or subject the applicant to penalties for operating without a valid permit pursuant to State Law.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(5).)
- 1.3 It is the responsibility of the applicant/permittee to obtain all other approvals, permits, clearances, easements, agreements, etc., which may be required including, but not limited to, all required local government zoning approvals or permits.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.1.D(6).)
- 1.4 The issuance of a permit does not release the permittee from liability for constructing or operating air emissions equipment in violation of any applicable statute, rule, or regulation of state or federal environmental authorities.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(7).)
- 1.5 It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit, unless halting or reducing activity would create an imminent and substantial endangerment threatening the public health and safety of the lives and property of the people of this state.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(15)(a).)
- 1.6 The permit and/or any part thereof may be modified, revoked, reopened, and reissued, or terminated for cause. Sufficient cause for a permit to be reopened shall exist when an air emissions stationary source becomes subject to Title V. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(15)(b).)
- 1.7 The permit does not convey any property rights of any sort, or any exclusive privilege.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(15)(c).)
- 1.8 The permittee shall furnish to the Department of Environmental Quality (DEQ) within a reasonable time any information the DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to

determine compliance with the permit. Upon request, the permittee shall also furnish to the DEQ copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee shall furnish such records to the DEQ along with a claim of confidentiality. The permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(15)(d).)

- 1.9 *Design and Construction Requirements:* The stationary source shall be designed and constructed so as to operate without causing a violation of an Applicable Rules and Regulations, without interfering with the attainment and maintenance of State and National Ambient Air Quality Standards, and such that the emission of air toxics does not result in an ambient concentration sufficient to adversely affect human health and well-being or unreasonably and adversely affect plant or animal life beyond the stationary source boundaries.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.5.A(1)-(3).)

- 1.10 The necessary facilities shall be constructed to prevent any wastes or other products or substances to be placed in a location where they are likely to cause pollution of the air or waters of the State without the proper environmental permits.

(Ref.: Miss. Code Ann. 49-17-29(1) and (2))

- 1.11 *Fugitive Dust Emissions from Construction Activities:* The construction of the stationary source shall be performed in such a manner so as to reduce fugitive dust emissions from construction activities to a minimum.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.5.A(4).)

- 1.12 *General Nuisances:* The permittee shall not cause, permit, or allow the emission of particles or any contaminants in sufficient amounts or of such duration from any process as to be injurious to humans, animals, plants, or property, or to be a public nuisance, or create a condition of air pollution.

(a) The permittee shall not cause or permit the handling, transporting, or storage of any material in a manner which allows or may allow unnecessary amounts of particulate matter to become airborne.

(b) When dust, fumes, gases, mist, odorous matter, vapors, or any combination thereof escape from a building or equipment in such a manner and amount as to cause a nuisance to property other than that from which it originated or to violate any other provision of 11 Miss. Admin. Code Pt. 2, Ch. 1, the Commission may order such corrected in a way that all air and gases or air and gasborne material leaving the building or equipment are controlled or removed prior to discharge to the open air.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.C.)

1.13 *Right of Entry:* The permittee shall allow the Mississippi Department of Environmental Quality Office of Pollution Control and the Mississippi Environmental Quality Permit Board and/or their representatives upon presentation of credentials:

- (a) To enter at reasonable times upon the permittee's premises where an air emission source is located or in which any records are required to be kept under the terms and conditions of this permit; and
- (b) To have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any air contaminants or waste waters, fuel, process material, or other material which affects or may affect emission of air contaminants from any source.

(Ref.: Miss. Code Ann. 49-17-21)

1.14 *Permit Modification or Revocation:* After notice and opportunity for a hearing, the Permit Board may modify the permit or revoke it in whole or in part for good cause shown including, but not limited to:

- (a) Persistent violation of any of the terms or conditions of this permit;
- (b) Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- (c) A change in federal, state, or local laws or regulations that require either a temporary or permanent reduction or elimination of previously authorized air emission.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.C.)

1.15 *Public Record and Confidential Information:* Except for data determined to be confidential under the Mississippi Air & Water Pollution Control Law, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Mississippi Department of Environmental Quality, Office of Pollution Control.

(Ref.: Miss. Code Ann. 49-17-39)

1.16 *Permit Transfer:* This permit shall not be transferred except upon approval of the Permit Board.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.16.B.)

1.17 *Severability:* The provisions of this permit are severable. If any provision of the permit, or the application of any provision of the permit to any circumstances, is challenged or held invalid, the validity of the remaining permit provisions and/or portions thereof or their application to other persons or sets of circumstances, shall not be affected thereby.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.1.D(7).)

- 1.18 *Permit Expiration:* The permit to construct will expire if construction does not begin within eighteen (18) months from the date of issuance, if construction is suspended for eighteen (18) months or more, or if construction is not completed within a reasonable time. The DEQ may extend the 18-month period upon a satisfactory showing that an extension is justified.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.5.C(1)., R. 2.5.C(4)., and R. 5.2.)
- 1.19 *Certification of Construction:* A new stationary source issued a Permit to Construct cannot begin operation until certification of construction by the permittee.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.5.D(3).)
- 1.20 *Beginning Operation:* After certification of construction by the permittee, the Permit to Construct shall be deemed to satisfy the requirement for a permit to operate until the date the application for issuance or modification of the Title V Permit or the application for issuance or modification of the State Permit to Operate, whichever is applicable, is due. This provision is not applicable to a source excluded from the requirement for a permit to operate as provided by 11 Miss. Admin. Code Pt. 2, R. 2.13.G.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.5.D(4).)
- 1.21 *Application for a Permit to Operate:* The application for issuance or modification of the State Permit to Operate or the Title V Permit, whichever is applicable, is due twelve (12) months after beginning operation or such earlier date or time as specified in the Permit to Construct. The Permit Board may specify an earlier date or time for submittal of the application. Beginning operation will be assumed to occur upon certification of construction, unless the permittee specifies differently in writing.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.5.D(5).)
- 1.22 *Operating Under a Permit to Construct:* Upon submittal of a timely and complete application for issuance or modification of a State Permit to Operate or a Title V Permit, whichever is applicable, the applicant may continue to operate under the terms and conditions of the Permit to Construct and in compliance with the submitted application until the Permit Board issues, modifies, or denies the Permit to Operate.
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.5.D(6).)
- 1.23 Except as otherwise specified herein, the permittee shall be subject to the following provisions with respect to upsets, startups, and shutdowns.
- (a) Upsets (as defined in 11 Miss. Admin. Code Pt. 2, R. 1.2.)
- (1) For an upset, the Commission may pursue an enforcement action for noncompliance with an emission standard or other requirement of an applicable rule, regulation, or permit. In determining whether to pursue enforcement action, and/or the appropriate enforcement action to take, the Commission may consider whether the source has demonstrated through

properly signed contemporaneous operating logs or other relevant evidence the following:

- (i) An upset occurred and that the source can identify the cause(s) of the upset;
 - (ii) The source was at the time being properly operated;
 - (iii) During the upset the source took all reasonable steps to minimize levels of emissions that exceeded the emission standard or other requirement of an applicable rule, regulation, or permit;
 - (iv) That within five (5) working days of the time the upset began, the source submitted a written report to the Department describing the upset, the steps taken to mitigate excess emissions or any other noncompliance, and the corrective actions taken and;
 - (v) That as soon as practicable but no later than 24 hours of becoming aware of an upset that caused an immediate adverse impact to human health or the environment beyond the source boundary or caused a general nuisance to the public, the source provided notification to the Department.
- (2) In any enforcement proceeding by the Commission, the source seeking to establish the occurrence of an upset has the burden of proof.
 - (3) This provision is in addition to any upset provision contained in any applicable requirement.
 - (4) These upset provisions apply only to enforcement actions by the Commission and are not intended to prohibit EPA or third party enforcement actions.
- (b) Startups and Shutdowns (as defined in 11 Miss. Admin. Code Pt. 2, R. 1.2.)
- (1) Startups and shutdowns are part of normal source operation. Emission limitations apply during startups and shutdowns unless source specific emission limitations or work practice standards for startups and shutdowns are defined by an applicable rule, regulation, or permit.
 - (2) Where the source is unable to comply with existing emission limitations established under the State Implementation Plan (SIP) and defined in 11 Mississippi Administrative Code, Part 2, Chapter 1, the Department will consider establishing source specific emission limitations or work practice standards for startups and shutdowns. Source specific emission limitations or work practice standards established for startups and shutdowns are subject to the requirements prescribed in 11 Miss. Admin. Code Pt. 2, R. 1.10.B(2)(a) through (e).

- (3) Where an upset, as defined in 11 Miss. Admin. Code Pt. 2, R. 1.2., occurs during startup or shutdown, see the upset requirements above.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.10.)

1.24 *General Duty:* All air emission equipment shall be operated as efficiently as possible to provide the maximum reduction of air contaminants.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(10).)

1.25 *Compliance Testing:* Regarding compliance testing:

- (a) The results of any emissions sampling and analysis shall be expressed both in units consistent with the standards set forth in any Applicable Rules and Regulations or this permit and in units of mass per time.
- (b) Compliance testing will be performed at the expense of the permittee.
- (c) Each emission sampling and analysis report shall include but not be limited to the following:
 - (1) detailed description of testing procedures;
 - (2) sample calculation(s);
 - (3) results; and
 - (4) comparison of results to all Applicable Rules and Regulations and to emission limitations in the permit.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.6.B(3), (4), and (6).)

SECTION 2. EMISSION POINT DESCRIPTION

The permittee is authorized to construct and operate, upon certification of construction, air emissions equipment, as described in the following table.

Emission Point	Description
AA-000	Facility-Wide [48forty Solution, LLC]
AA-001	Firebox Air Curtain Incinerator [used to dispose of wood pallets; max. throughput: 7 tons / hour; blower power provided by local electrical grid]
AA-002	Ash Management Operations [fugitive emissions]

SECTION 3. EMISSION LIMITATIONS AND STANDARDS

Emission Point	Applicable Requirement	Condition Number(s)	Pollutant/Parameter	Limitation/Standard
AA-000 (Facility-Wide)	11 Miss. Admin. Code Pt. 2, R. 1.3.A.	3.1	Opacity	≤ 40% (as smoke)
	11 Miss. Admin. Code Pt. 2, R. 1.3.B.	3.2		≤ 40%
AA-001	11 Miss. Admin. Code Pt. 2, R. 1.3.G.(2)(b) and 2.2.B(14)(a), (e), and (f).	3.3	Buffer Zone Criteria	Install / Operate the ACI at Least 150 Feet From Any Dwelling, Light Commercial Building, Residential Area, or Recreational Area
	11 Miss. Admin. Code, Pt. 2, R. 1.3.H(1).	3.4	PM (filterable)	0.2 grains / dscf (Calculated to 12% CO ₂ by Volume)
	40 CFR Part 60, Subpart EEEE – Standards of Performance for Other Solid Waste Incineration Units 40 CFR 60.2885(a) and 60.2886(a)(1); Subpart EEEE	3.5	Opacity	General Applicability
	40 CFR 60.2888(b); Subpart EEEE 11 Miss. Admin. Code Pt. 2, R. 2.2.B(10). (Title V Avoidance Limit)	3.6	Wood Pallet Throughput	35.0 tons / day
	40 CFR 60.2970(b) and 60.2977; Subpart EEEE	3.7	Waste Disposal Restriction	Only Incinerate Vegetative Waste
	40 CFR 60.2971(a)(1 – 2); Subpart EEEE	3.8	Opacity	≤ 35% (6-minute average) During Start-Up Periods; and ≤ 10% (6-minute average) During Operations

3.1 For Emission Point AA-000 (Facility-Wide), except as otherwise specified herein, the permittee shall not cause or allow the emission of smoke into the open air that exceeds 40% opacity subject to the following exceptions:

- (a) Start-up operations may produce emissions which exceed 40% opacity for up to fifteen (15) minutes per startup in any one hour and not to exceed three (3) start-ups per stack in any twenty-four (24) hour period.
- (b) Emissions resulting from soot blowing operations shall be permitted provided such emissions do not exceed sixty (60) percent opacity and provided further that the aggregate duration of such emissions during any twenty-four (24) hour period does

not exceed ten (10) minutes per billion BTU gross heating value of fuel in any one (1) hour.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.A.)

- 3.2 For Emission Point AA-000 (Facility-Wide), except as otherwise specified herein, the permittee shall not cause or allow the discharge into the ambient air from any point source any air contaminant or emissions of such opacity as to obscure an observer's view to a degree in excess of forty (40) percent opacity. This shall not apply to vision obscuration caused by uncombined water droplets.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.B.)

- 3.3 For Emission Point AA-001, the permittee shall install and operate the air curtain incinerator (ACI) at least one hundred fifty (150) feet from any dwelling or any light commercial area not owned by the permittee and at least 150 feet from the nearest residential or recreational area.

Where buffer zone requirements cannot be met, the MDEQ will consider requests for exceptions to, or variances from, these requirements upon the submittal of sufficient proof that the affected property owners within the subject buffer zone have had timely and sufficient notice of the proposed ACI.

For the purpose of this permit, the following terms shall be defined as such:

- (a) *“Light Commercial Area”* – an area zoned for commercial use, or, in the absence of any local zoning ordinances, an area predominantly used for wholesale and retail trade in goods and services.
- (b) *“Recreational Area”* – any area that meets one of the following criteria:
 - (1) a national, state, county, or city park; or
 - (2) an outdoor recreational area (such as a golf course or swimming pool) owned by a city, county, state, or other public agency.
- (c) *“Residential Area”* – any area that meets one of the following criteria:
 - (1) a group of twenty (20) or more single-family dwelling units on contiguous property and having an average density of two (2) or more units per acre;
 - (2) a group of forty (40) or more single-family dwelling units on contiguous property and having an average density of one (1) or more units per acre; or

- (3) a subdivision containing at least 20 constructed houses in which the subdivision plat is recorded in the chancery clerk's office of the appropriate county.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.G.(2)(b). and R. 2.2.B.(14)(a), (e), and (f).)

- 3.4 For Emission Point AA-001, the maximum discharge of particulate matter (PM) from the ACI shall not exceed 0.2 grains per dry standard cubic foot (dscf) calculated to twelve (12) percent carbon dioxide (CO₂) by volume. This limitation shall apply when the ACI is operating at its designed capacity.

(Ref.: 11 Miss. Admin. Code, Pt. 2, R. 1.3.H.(1).)

- 3.5 For Emission Point AA-001, the permittee is subject to and shall comply with the applicable requirements found in 40 CFR Part 60, Subpart EEEE – Standards of Performance for Other Solid Waste Incineration Units and 40 CFR Part 60, Subpart A – General Provisions.

(Ref.: 40 CFR 60.2885(a) and 60.2886(a)(1); Subpart EEEE)

- 3.6 For Emission Point AA-001, the permittee shall limit total wooden pallets incinerated in the ACI to 35.0 tons per day.

(Ref.: 40 CFR 60.2888(b); Subpart EEEE)

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(10). – Title V Avoidance Limit)

- 3.7 For Emission Point AA-001, the permittee shall only incinerate vegetative waste. For the purpose of this permit, “vegetative waste” is considered a 100 percent mixture of wood waste, clean lumber waste, and/or yard waste. Moreover, the following terms shall be defined as such:

- (a) “*Wood waste*” is defined as untreated wood and untreated wood products – including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings.
- (b) “*Clean lumber waste*” is defined as wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products (but does not wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol, and creosote).
- (c) “*Yard waste*” is defined as grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs as a result of maintaining yards.

(Ref.: 40 CFR 60.2970(b) and 60.2977; Subpart EEEE)

3.8 For Emission Point AA-001, the permittee shall comply with the following opacity limitations:

- (a) Maintain an opacity of less than or equal to thirty-five (35) percent (6-minute average) during any start-up period in which “start-up” is considered the first thirty (30) minutes of operation; and
- (b) Except as provided in paragraph (a) of this condition and during periods of malfunction, maintain an opacity of less than or equal to ten (10) percent (6-minute average) at all times.

(Ref.: 40 CFR 60.2971; Subpart EEEE)

SECTION 4. WORK PRACTICES

Emission Point	Applicable Requirement	Condition Number(s)	Work Practice
AA-001	11 Miss. Admin. Code Pt. 2, R. 2.2.B(10).	4.1	Operate and Maintain the ACI in Accordance with the Manufacturer’s Written Instructions
		4.2	Operational Criteria Requirements
		4.3	Fuel Restriction Requirements
AA-002	11 Miss. Admin. Code Pt. 2, R. 2.2.B(10).	4.4	Ash Management Requirements

4.1 For Emission Point AA-001, the permittee shall operate and maintain the ACI according to the manufacturer’s written instructions to ensure complete combustion of the material charged into the firebox. Additionally, the permittee shall maintain the manufacturer’s recommendations on-site.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(10).)

4.2 For Emission Point AA-001, the permittee shall not store or locate combustible material within 100 feet of the ACI in any direction. Additionally, the permittee shall operate the ACI in accordance with any setbacks recommended by the manufacturer for specified wind speeds.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(10).)

4.3 For Emission Point AA-001, the permittee shall only utilize gasoline, kerosene, diesel fuel, or No. 2 fuel oil as the fuel source for any start-up fire within the ACI. Additionally, the permittee shall minimize (to the best extent practicable) the amount of fuel necessary to ignite a start-up fire.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(10).)

4.4 For Emission Point AA-002, the permittee shall comply with the following work practices to minimize ash becoming airborne during removal, transfer, and/or storage activities:

- (a) The permittee shall remove any accumulated ash within the ACI at the frequency specified in the manufacturer’s written instructions;
- (b) After sufficient time for cooling (and as necessary), the permittee shall wet ash within the ACI prior to its removal; and

- (c) The permittee shall store cooled ash in a roll-off container, trailer, or other equivalent container. Additionally, the permittee shall wet and/or cover stored ash as necessary.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(10).)

SECTION 5. MONITORING AND RECORDKEEPING REQUIREMENTS

Emission Point	Applicable Requirement	Condition Number(s)	Pollutant/Parameter	Monitoring/Recordkeeping Requirement
AA-000 (Facility-Wide)	11 Miss. Admin. Code Pt. 2, R. 2.9.	5.1	Recordkeeping	Maintain Records for a Minimum of Five (5) Years
AA-001	11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).	5.2	Wood Pallet Throughput	Monitor Total Wood Pallet Throughput (Monthly and Rolling 12-Month Total)
		5.3	PM Opacity	Conduct an Annual Inspection
	40 CFR 60.2972; Subpart EEEE	5.4	Opacity	Conduct Routine Method 9 Testing
	40 CFR 60.2973; Subpart EEEE	5.5	Hours of Operation Opacity	Maintain Documentation on Required Information

5.1 The permittee shall retain all required records, monitoring data, supporting information and reports for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings or other data for continuous monitoring instrumentation, and copies of all reports required by this permit. Copies of such records shall be submitted to DEQ as required by Applicable Rules and Regulations or this permit upon request.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.9.)

5.2 For Emission Point AA-001, the permittee shall monitor and maintain the total throughput of wood pallets incinerated in the ACI in tons on both a monthly and rolling 12-month basis.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).)

5.3 For Emission Point AA-001, the permittee shall perform an inspection of the ACI in accordance with the manufacturer’s recommendations no later than twelve (12) months after the initial start-up. Thereafter, the permittee shall perform subsequent inspections on an annual basis (at a minimum) not to exceed twelve (12) months after the previously completed inspection. If any problem is noted during an inspection, the permittee shall perform the necessary maintenance activities to ensure operation of the ACI as original designed.

The permittee shall maintain documentation that details the date / time of each inspection the results of each inspection, any problem denoted during an inspection, and any maintenance (either corrective or preventative) performed to the ACI.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).)

5.4 For Emission Point AA-001, the permittee shall demonstrate compliance with the opacity limits specified in Condition 3.8 by conducting routine opacity testing on the exhaust emitted from the ACI in accordance with EPA Test Method 9 (i.e. "Method 9") and the following requirements:

- (a) The initial testing shall be conducted no later than sixty (60) days after the ACI reaches the maximum charge rate at which it will operate but no later than one hundred eighty (180) days after initial start-up. Thereafter, the permittee shall conduct subsequent testing on an annual basis not to exceed twelve (12) months after the previously completed evaluation.
- (b) Each test (or part of a test) shall be performed during daylight hours and during representative operating conditions.
- (c) Unless otherwise specified herein, the result of each test shall be determined from the average of three (3) 1-hour blocks. Each block shall consist of the average from ten (10) 6-minute evaluations, and each 6-minute evaluation shall be the average of twenty-four (24) total consecutive observations completed once every fifteen (15) seconds.
- (d) For the initial testing to demonstrate compliance with Condition 3.8(a), the permittee shall evaluate six (6) separate start-up periods in order to satisfy the criteria outlined in paragraph (c) of this condition.

For any subsequent testing, the permittee may demonstrate compliance with the noted opacity limit by evaluating (at a minimum) one (1) start-up period.

- (e) For the initial testing to demonstrate compliance with Condition 3.8(b), the permittee shall evaluate an operational period (or number of operational periods, except for periods of malfunction or start-up) that satisfies the criteria outlined in paragraph (c) of this condition.

For any subsequent testing, the permittee shall evaluate an operational period (or number of operational periods, except for periods of malfunction or start-up) within the applicable 12-month span that satisfies the criteria outlined in paragraph (c) to the best extent practicable. If the total operational period does not satisfy the criteria outlined in paragraph (c), the permittee shall determine a result from the completed testing and maintain documentation that details the duration of the non-evaluated period (and why the permittee was unable to evaluate the noted period).

(Ref.: 40 CFR 60.2972; Subpart EEEE)
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).)

5.5 For Emission Point AA-001, the permittee shall maintain documentation that contain the following information:

- (a) The hours of operation in which the authorized wastes (as specified in Condition 3.7) are incinerated on a monthly basis;
- (b) The results from the initial and annual opacity tests completed for at least five (5) years; and
- (c) A copy of the initial and annual opacity reports for period of at least five (5) years.

(Ref.: 40 CFR 60.2973; Subpart EEEE)
(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).)

SECTION 6. REPORTING REQUIREMENTS

Emission Point	Applicable Requirement	Condition Number(s)	Reporting Requirement
AA-000 (Facility-Wide)	11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).	6.1(a)	Report Deviations Within Five (5) Working Days
	11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).	6.1(b)	Semiannual Reporting
	11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).	6.1(c)	Submit a Certification By Responsible Official
	11 Miss. Admin. Code Pt. 2, R. 2.5.C(2).	6.1(d)	Submit a Notification of Beginning Actual Construction Within 15 Days
	11 Miss. Admin. Code Pt. 2, R. 2.5.C(3).	6.1(e)	Submit a Notification When Construction Does Not Begin or is Suspended
	11 Miss. Admin. Code Pt. 2, R. 2.5.D(1) and (3).	6.1(f)	Submit a Certification of Completion of Construction Prior to Operation
	11 Miss. Admin. Code Pt. 2, R. 2.5.D(2).	6.1(g)	Submit a Notification of Changes in Construction
AA-001	11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).	6.2	Submit a Semi-Annual Monitoring Report
	40 CFR 60.2973(a); Subpart EEEE	6.3	Submit a Notification on the Planned Date for ACI Installation and Start-Up
	40 CFR 60.2973(d); Subpart EEEE	6.4	Submit the Method 9 Test Results

6.1 General Reporting Requirements:

- (a) The permittee shall report all deviations from permit requirements, including those attributable to upsets, the probable cause of such deviations, and any corrective actions or preventive measures taken. Said report shall be made within five (5) working days of the time the deviation began.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).)

- (b) Beginning upon issuance of this permit and lasting until issuance or modification of the applicable operating permit, the permittee shall submit reports of any required monitoring by July 31st and January 31st for the preceding six-month period. All instances of deviations from permit requirements must be clearly identified in such reports and all required reports must be certified by a responsible official consistent with 11 Miss. Admin. Code Pt. 2, R. 2.1.C. Where no monitoring data is required to be reported and/or there are no deviations to report, the report shall contain the appropriate negative declaration. For any air emissions equipment not yet constructed and/or operating the report shall so note and include an estimated date of commencement of construction and/or startup, whichever is applicable.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).)

- (c) Any document required by this permit to be submitted to the DEQ shall contain a certification signed by a responsible official stating that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).)

- (d) Within fifteen (15) days of beginning actual construction, the permittee must notify DEQ in writing that construction has begun.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.5.C(2).)

- (e) The permittee must notify DEQ in writing when construction does not begin within eighteen (18) months of issuance or if construction is suspended for eighteen (18) months or more.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.5.C(3).)

- (f) Upon the completion of construction or installation of an approved stationary source or modification, and prior to commencing operation, the applicant shall notify the Permit Board that construction or installation was performed in accordance with the approved plans and specifications on file with the Permit Board.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.5.D(1) and (3).)

- (g) The Permit Board shall be promptly notified in writing of any change in construction from the previously approved plans and specifications or permit. If the Permit Board determines the changes are substantial, it may require the submission of a new application to construct with “as built” plans and specifications. Notwithstanding any provision herein to the contrary, the acceptance of an “as built” application shall not constitute a waiver of the right to seek compliance penalties pursuant to State Law.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.5.D(2).)

6.2 For Emission Point AA-001, the permittee shall submit a semi-annual monitoring report (SMR) in accordance with Condition 6.1(b) that details the following information:

- (a) The total throughput of wooden pallets incinerated in the ACI in tons on both a monthly and rolling 12-month basis;

- (b) The total hours of operation in which authorized vegetative wastes are incinerated on a monthly basis.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.2.B(11).)

- 6.3 For Emission Point AA-001, the permittee shall submit a notification to the MDEQ that details the planned date for the installation and start-up of the ACI at least ten (10) days prior to the actual event(s).

(Ref.: 40 CFR 60.2973(a); Subpart EEEE)

- 6.4 For Emission Point AA-001, the permittee shall submit the results (each 6-minute average) of the initial opacity test required by Condition 5.4 no later than sixty (60) days after completing the test in full. Thereafter, the permittee shall submit the results (and any supporting documentation – as applicable) of all subsequent testing no later than twelve (12) months after the previously submitted results.

(Ref.: 40 CFR 60.2973(d); Subpart EEEE)