DRAFT/PROPOSED

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION

MEMORANDUM **April 1, 2025**

TO: Phillip Fielder, P.E., Chief Engineer

THROUGH: Rick Groshong, Compliance and Enforcement Group Manager

THROUGH: Eric L. Milligan, P.E., Engineering Manager, Engineering Section

THROUGH: Alex Johnson, E.I., New Source Permits Section

FROM: Elijah Ecklund, E.I., Engineering Section, ROAT

SUBJECT: Evaluation of Application No. **2024-0896-TVR5**
Acme Brick Company
Acme Brick Company - Oklahoma City Plant (SIC 3251/NAICS 327120)
Facility ID No: 7
Latitude: 35.60338°N, Longitude: 97.50742°W
Section 15, Township 13N, Range 3W, Oklahoma County, Oklahoma
Physical Address: 500 East Memorial, Oklahoma City, OK 73114

SECTION I. INTRODUCTION

Acme Brick Company (Acme or the applicant) has submitted an application for the renewal of their Title V operating permit for the Oklahoma City Plant. The facility is currently operating under Permit No. 2019-1108-TVR4, issued on March 30, 2020.

The total emissions from the facility are above the major source thresholds. This facility, therefore, is subject to Title V permitting requirements and is considered a "major" source. The facility is not a major source for Prevention of Significant Deterioration (PSD) and is an "area" source of Hazardous Air Pollutants (HAPs).

SECTION II. REQUESTED CHANGES

Acme is requesting the following change to their Oklahoma City Plant facility:

1.) Add a pound per hour limit for the HAP emissions in EUG-02, ID# B3 to Specific Condition No. 1.

Prior to this change, only annual limits (TPY) were established for the specific HAPs, which required monthly calculations to demonstrate compliance. Acme wishes to avoid these monthly calculations by establishing short-term hourly limits.

The permit has been updated with the latest State of Oklahoma rules and federal regulations. Emissions factors and calculations have also been updated to reflect the most recent AP-42 and DEQ guidance. The changes in estimated emissions shown in the memorandum does not reflect a process change at the facility. The updated emissions estimates in the memorandum do not change the permitted emissions as they are limited by a facility-wide cap on the throughput process rate and emission rates.

Changes to the requirements specified in Specific Condition No. 8 (previously Specific Condition No. 7) have also been made. Prior to the change, the condition indicated the factors to be used in calculating emissions for the combustion equipment, grinding, and drop or transfer points which were assumed to be for demonstrating compliance with the emission limits. However, as outlined in Specific Condition No. 1, only EUG-02: Combustion Equipment had emission limits. With the requested change to the HAP emission limits, a monthly calculation of the HAP emissions is not required to make the annual limit enforceable. Therefore, the requirements in Specific Condition No. 8 are no longer needed. However, Acme has expressed that they wish to keep the wording of this specific condition, as it describes where the emission factors used to calculate the emission limits originated.

Specific Condition No. 8 has been revised to clarify that compliance with the throughput limits outlined in Specific Condition No. 2 will be deemed compliance with the emissions limits, while specifying where the emission factors used to derive emissions limits was obtained.

In order to account for all applicable units subject to NESHAP CCCCCC, Emission Unit Group 4 has been separated into 4a and 4b, where 4a will be subject to the requirements of NESHAP CCCCCC outlined in Specific Condition No. 9 of this permit.

SECTION III. PROCESS DESCRIPTION

Overview

The Acme brick plant produces bricks. The main raw material is clay, which is quarried on-site. The mined clay is then grinded and crushed, after which water and additives are added to saturate the grounded clay. Once the material is sufficiently saturated, it enters a dryer, resulting in a long column of “green” bricks. This column passes through a cutter, separating them into individual bricks which are then transferred to a dryer and then subsequently cooled for the final product.

Mining

The main raw material for the Oklahoma City Plant is clay, which is quarried on site. Two scrapers remove raw material from the pits and deposit them into “stockpiles” to be processed at a later date. Fugitive dust emissions from mining activities are controlled by water application from a water truck.

Clay Preparation

A front-end loader is used to transfer the stockpiled material to the primary crusher (FIN-1). The crusher and associated drop points (FIN-2 and -3) are located inside the crusher building. The average moisture content of the raw material at this point is approximately 10%.

From the crusher building, the material is transferred in a covered conveyor to the grinding building. Once in the grinding building, the raw material passes through the scalping screen (FIN-4). Material that is properly sized is then transferred to the ground clay storage building (FIN-10). Material that does not pass through the scalping screen is conveyed to the hammer mill (FIN-5). Following the hammer mill are four finishing screens (FIN-6, -7, -8, and -9). Material that passes through the screens is conveyed to ground clay storage building and oversized material is returned to the hammer mill. A dust collector (EPN-1) captures emissions from sources in the crusher building and grinding building. Controlled emissions from the crushing and grinding operations are calculated to be insignificant; uncontrolled emissions from these operations are calculated to be below the 100-TPY threshold for CAM.

Ground Clay Storage

Material from the grinding room is transferred on a covered conveyor to the ground clay storage building. Ground material is evenly distributed through the building via shuttle conveyor. From the stockpile, material is fed onto a conveyor by an automated scraping system. Three drop points are associated with the ground clay storage building (FIN-11, -12, and -13). Estimated emissions from ground clay storage activities are calculated to be insignificant.

Brick Manufacturing

From ground clay storage, material is conveyed to the surge hopper (FIN-14) and temporarily stored for the production line. From the hopper, the material is transferred (FIN-15) to the pug mill (FIN-20) where additives (FIN-24) and water are added. The material is effectively saturated beyond this point until it enters the dryer. An extruder (FIN-21) follows the pug mill and it creates a long column of "green" bricks. Dry surface additives (FIN-16) are then applied (product dependent) to the face of the green bricks. A dust collector (EPN-2) controls fugitive emissions from the dry additive application area. The column of green bricks then passes through the cutter (FIN-22), which cuts the column into properly sized brick. The bricks are then set (FIN-23) onto kiln cars and transferred to the large holding room (EPN-3) followed by the small holding room (EPN-4). The holding rooms are maintained at ambient temperatures and no supplemental heat is provided, therefore, no emissions are expected from the holding rooms. Controlled emissions from brick manufacturing activities are calculated to be insignificant; uncontrolled emissions from these operations are calculated to be below the 100-TPY threshold for CAM.

Drying and Vitrification

Bricks are transferred from the holding rooms into Dryer 1 (EPN-5) or Dryer 2 (EPN-6). Both tunnel dryers receive waste heat from the cooling zone in the kiln. The dryers are heated to approximately 400 °F. Dryer 1 is also equipped with a 2.4 MMBtu/hr burner that can provide additional heat for the dryer, but the burner is rarely used. Emission calculations for Dryer 1 were derived from AP-42, assuming that the dryer operates with the supplemental burner operating at 100% capacity. Following the dryers, bricks are transported to the Kiln (EPN-7) and vitrified at temperatures reaching 2,000 °F. Once the bricks are cool enough to handle, they are packaged (FIN-25) and stored on site until delivery. Off-spec bricks are transported to the raw material stockpile for recycling.

SECTION IV. PERMIT HISTORY

This table list the permit history for the facility from issuance of the initial Title V permit.

Permits	Date Issued	Description
97-240-TV	8/31/1999	Initial Title V Permit
97-240-TV (M-1)	8/18/2003	Modification to update with actual emission data
97-240-TV (M-2)	12/24/2003	Administrative amendment to clarify compliance language
2004-085-TVR	9/1/2004	Title V renewal, no changes were requested
2009-037-TVR2	9/1/2009	Title V renewal, no changes were requested
2009-037-TVR2 (M-1)	5/18/2011	Modification to replace the conventional burners with more modern and efficient burners. The modification did not increase allowable emissions and production throughput
2014-0256-TVR3	4/24/2015	Title V renewal, no changes were requested
2019-1108-TVR4	3/30/2020	Title V renewal, no changes were requested

SECTION V. EQUIPMENT

The emissions sources have been organized into the Emissions Unit Groups (EUGs) identified below. Emission point numbers (EPN) are assigned to point source emissions and facility identification numbers (FIN) are assigned to non-point source emissions (fugitives) or discharges inside a building. Since FIN mostly comprises fugitives, their emissions will be accounted for under fugitive point source emissions (FUG).

EUG-01 Emissions for mining, transportation, and stockpiles

ID#	Description	Process Rates		Construction Date
		TPH	TPY	
R-1	Haul Roads	130	200,000	1976
S-1	Mined Materials Stockpiles	130	200,000	1976

EUG-02 Combustion Equipment

ID#	Description	Rating (MMBTUH)	Construction Date	Modification Date
B1 (EPN 5)	Dryer No. 1	2.4 [(1)]	1976	-
B2 (EPN 6)	Dryer No. 2	- [(2)]	1976	-
B3 (EPN 7)	Kiln	20.5 [(3)]	1976	2011 [(4)]

[(1)] Drying utilizes waste heat from tunnel Kiln.
[(2)] Dryer not equipped with a supplemental burner. Drying utilizes waste heat from tunnel Kiln.
[(3)] Heat input taken from facility Emissions Inventory.
[(4)] Modification occurred in 2011 and was authorized under Permit No. 2009-037-TVR2 (M-1).

EUG-03 Crushing Equipment

Emission Point	ID#	Description	Process Rate		Construction Date
			TPH	TPY	
EPN-1 (Crusher Building & Grinding	FIN-1	Primary Crusher	130	200,000	1976
	FIN-2	Conveyor Drop Point			
	FIN-3	Conveyor Drop Point			
	FIN-4	Scalping Screen			
	FIN-5	Williams Hammer Mill			
	FIN-6	Screen			
	FIN-7	Screen			
	FIN-8	Screen			
	FIN-9	Screen			
EPN-2 (Manufacturing Building and Dust Collector)	FIN-20	Pug Mill	105	200,000	1976
	FIN-24	Additives into Pug Mill			
	FIN-21	Extruder			
	FIN-16	Additives into Extruder	0.07	208	
	FIN-22	Cutter	105	200,000	
	FIN-23	Setter			
EPN-3	-	Large Holding Room	-	-	1976
EPN-4	-	Small Holding Room	-	-	
FUG-1 (Fugitives from Crushing)	FIN-1	Primary Crusher	130	200,000	1976
	FIN-2	Conveyor Drop Point			
	FIN-3	Conveyor Drop Point			
FUG-2 (Fugitives from Grinding)	FIN-4	Scalping Screen	105	200,000	1976
	FIN-5	Williams Hammer Mill			
	FIN-6	Screen			
	FIN-7	Screen			
	FIN-8	Screen			
	FIN-9	Screen			
	FIN-10	Conveyor			
FUG-3 (Ground Clay Storage Fugitives)	FIN-11	Conveyor	100	200,000	1976
	FIN-12	Conveyor			
	FIN-13	Conveyor			
FUG-4 (Manufacturing Fugitives)	FIN-14	Surge Hopper	100	200,000	1976
	FIN-15	Conveyor			
	FIN-16	Dry Additive Addition	0.07	208	
	FIN-20 (1)	Pug Mill	-	-	
	FIN-21 (1)	Extruder			
	FIN-22 (1)	Cutter			

Emission Point	ID#	Description	Process Rate		Construction Date
			TPH	TPY	
	FIN-23 [1]	Setter			
	FIN-24	Additive Addition			
	FIN-25 [1]	Packaging			

[1] Not a source of emissions, listed for purposes of process flow identification.

EUG-04a Miscellaneous Activities Subject to NESHAP CCCCCC

Emission Point	ID#	Description	Rating	Construction Date
EPN-11	-	Gasoline Tank	550-gal	1976

EUG-04b Miscellaneous Activities

Emission Point	ID#	Description	Rating	Construction Date
EPN-8	-	Diesel Tank	10,000-gal	1976
EPN-9	-	Diesel Tank	1,000-gal	2002
FUG-5 (Misc. Fugitives)	FIN-18	Ribbon Mixer	-	1976
	FIN-17	Kiln Car Vacuum	220-ACFM	1976
	FIN-19	Parts Washer	-	1976
	FIN-26	Die-Lube	-	-

EUG-05 Facility-Wide

This EUG is established to cover all rules or regulations that apply to the facility as a whole.

SECTION VI. EMISSIONS

EUG-01: Emissions for mining, transportation, and stockpiles

Emissions of PM from R-1 are calculated based on AP-42 (11/06), Section 13.2.2, Equation 1a, and the truck throughput and parameters listed below. It is assumed that the truck will haul 20 tons worth of material over 0.25 miles of haul road to the stockpile. To meet the process rate of 200,000 TPY, including roundtrips, it is estimated that 5,000 miles will be travelled each year.

Haul Road Parameters

Parameter	R-1
Pollutant	PM_{10}
Particle Size Multiplier (k)	1.5
Surface Material Silt Content (s), %	8.30
Mean Vehicle Weight (W), Ton	30
Equation 1 Constant a for PM_{10}	0.9
Equation 1 Constant b for PM_{10}	0.45
Emission Factor, lb/VMT	0.048
Day with more than 0.01 in of precipitation (P)	90
Emission Factor [1], lb/VMT	0.036
Vehicle Miles Traveled per Year, VMT/yr	5,000
Emitted, TPY	0.09

[1] Final factor based on Equation 2 and 90 days in a year of at least 0.01 in. of precipitation.

Emissions of PM from S-1 are calculated based on AP-42 (11/06) Section 13.2.4.3, Equation 1, and the listed parameters below.

Stockpile Parameters

Parameter	S-1
Pollutant	PM_{10}
Throughput, TPY	200,000
Particle Size Multiplier (k)	0.48
Mean Wind Speed (U), mph	12
Moisture Content (M), %	10
Emission Factor, lb/ton	0.32
Emitted, TPY	32.0

EUG-01 Total Emissions

Point Source	ID#	PM_{10} (TPY)
-	R-1	0.09
-	S-1	32.0
Total		**32.09**

EUG-02: Combustion Equipment

Emissions for B1 and B2 are calculated based on factors obtained from AP-42 (8/97), Section 11.3, Table 11.3-1 for PM, Table 11.3-3 for NO_X, CO, and SO_2, and Table 11.3-5 for VOC. Emissions from B3 are calculated based on a stack test conducted on March 15, 2002. For conservative estimates of all pollutant emissions for the combustion equipment, a safety factor of 50% was used. Total brick production of 180,000 tons per year is anticipated. This necessitates a feed of 200,000 tons of clay per year. There will be losses of material due to evaporation of water and calcining of carbonates to carbon dioxide.

Combustion Emission Factors

Point Source	ID#	NO_X lb/ton	CO lb/ton	VOC lb/ton	SO_2 lb/ton	PM lb/ton	HAP lb/ton
EPN-5	B1	0.098	0.31	0.03	-	0.077	-
EPN-6	B2	-	-	0.03	-	0.077	-

Point Source	ID#	NO_X lb/hr	CO lb/hr	VOC lb/hr	SO_2 lb/hr	PM lb/hr	PM_{10} lb/hr	HAP lb/hr
EPN-7	B3 [(1)]	2.61	15.20	3.22	1.98	0.86	0.64	2.08 [(2)]

[(1)] Hourly emissions for B-3 are based on a stack test conducted on March 15, 2002. This table is the base data from the test and does not include the 50% safety factor.

[(2)] Includes 1.07 lb/hr of HF and 1.01 lb/hr of HCl for a total of 2.08 lb/hr HAP. These values do not include the 50% safety factor.

Combustion Emissions [(1)]

ID#	Production Limit (TPY)	NO_X TPY	CO TPY	VOC TPY	SO_2 TPY	PM TPY	PM_{10} TPY	HAP TPY
B1	90,000	6.62	20.93	2.03	-	5.20	-	-

ID#	Production Limit (TPY)	NO_X TPY	CO TPY	VOC TPY	SO_2 TPY	PM TPY	PM_{10} TPY	HAP TPY
B2	90,000	-	-	2.03	-	5.20	-	-
B3 [2]	180,000	17.15	99.86	21.16	13.01	5.62	4.21	13.68

[1] Final emissions include a 50% safety factor (1+50%).
[2] Emissions for B-3 are based on a stack test conducted on March 15, 2002.

EUG-02 Total Emissions

Point Source	NO_X TPY	CO TPY	VOC TPY	SO_2 TPY	PM TPY	PM_{10} TPY	HAP TPY
EPN-5	6.62	20.93	2.03	-	5.20	-	-
EPN-6	-	-	2.03	-	5.20	-	-
EPN-7	17.15	99.86	21.16	13.01	5.62	4.21	13.68
Totals	**23.77**	**120.79**	**25.22**	**13.01**	**16.02**	**4.21**	**13.68**

EUG-03: Crushing Equipment

PM Emissions from EPN-1 and EPN-2 dust collectors are based on the following stack flow, a conversion factor of 0.01-gr/DSCF, and 3,120 hours per year of operation.

Point Source	Description	Rating (ACFM)	PM (lb/hr)	PM (TPY)
EPN-1	Dust Collector	14,000	1.20	1.87
EPN-2	Dust Collector	3,900	0.33	0.52

PM emissions from crushing (FIN-1, FIN-5) and screening (FIN-4, FIN-6, FIN-8, FIN-9, FIN-9) are calculated based on factors obtained from AP-42 (8/97), Section 11.3, Table 11.3-1, and the following parameters.

ID#	Process Rate (TPY)	Emission Factor (lb PM_{10}/ton)	PM_{10} (TPY)
FIN-1	200,000	0.0023	0.23
FIN-4	200,000	0.0023	0.23
FIN-5	200,000	0.0023	0.23
FIN-6	50,000	0.0023	0.06
FIN-7	50,000	0.0023	0.06
FIN-8	50,000	0.0023	0.06
FIN-9	50,000	0.0023	0.06

PM emissions from the drop and transfer points (FIN-2, FIN-3, FIN-10 through FIN-16, FIN-24) are calculated based on factors obtained from AP-42 (8/04), Section 11.19.2, Table 11.19.2-2, and the following parameters.

ID#	Process Rate (TPY)	Emission Factor (lb PM_{10}/ton)	PM_{10} (TPY)
FIN-2	200,000	0.000046	<0.01
FIN-3	200,000	0.000046	<0.01

ID#	Process Rate (TPY)	Emission Factor (lb PM_{10}/ton)	PM_{10} (TPY)
FIN-10	200,000	0.0011	0.11
FIN-11	200,000	0.0011	0.11
FIN-12	200,000	0.0011	0.11
FIN-13	200,000	0.0011	0.11
FIN-14	200,000	0.0011	0.11
FIN-15	200,000	0.0011	0.11
FIN-16	100	0.000046	<0.01
FIN-24	100	0.000046	<0.01

Emissions from the holding rooms (EPN-3, EPN-4) are considered negligible.

EUG-03 Total Emissions

Point Source	ID#	PM (TPY)	PM_{10} (TPY)
EPN-1	-	1.87	1.87
EPN-2	-	0.52	0.52
FUG-1	FIN-1	-	0.23
	FIN-2 – FIN-3	-	<0.01
FUG-2	FIN-4 – FIN-5	-	0.46
	FIN-6 – FIN-9	-	0.24
	FIN-10	-	0.11
FUG-3	FIN-11 – FIN-13	-	0.33
FUG-4	FIN-14 – FIN-15	-	0.22
	FIN-16	-	<0.01
	FIN-24	-	<0.01
Totals		**2.39**	**3.98**

EUG-04: Miscellaneous Activities

PM Emissions from the kiln car vacuum (FIN-17) is based on the following stack flow, a conversion factor of 0.01-gr/DSCF, and 3,120 hours per year of operation.

ID#	Description	Rating (ACFM)	PM (lb/hr)	PM (TPY)
FIN-17	Kiln Car Vacuum	220	0.02	0.03

PM emissions from the Ribbon Mixer (FIN-18) are calculated based on the factor obtained from AP-42 (8/04), Section 11.19.2, Table 11.19.2-2, and the following parameter.

ID#	Process Rate (TPY)	Emission Factor (lb PM_{10}/ton)	PM_{10} (TPY)
FIN-18	100	0.000046	<0.01

Fugitive VOC emissions emitted from Die-Lube (FIN-26), a process of coating the brick column with oil to prevent column drag on other surfaces, are based on 3,600 gallons/year of Lubspar 110

and is considered to be negligible. VOC emissions from the tanks (EPN-8, EPN-9, EPN-11) and parts washer (FIN-19) are considered insignificant activities and are estimated to be <0.01 TPY each.

EUG-04 Total Emissions

Point Source	ID#	PM (TPY)	PM_{10} (TPY)	VOC (TPY)
EPN-8	-	-	-	<0.01
EPN-9	-	-	-	<0.01
EPN-11	-	-	-	<0.01
FUG-5	FIN-18	<0.01	<0.01	-
	FIN-17	0.03	0.03	-
	FIN-19	<0.01	<0.01	-
	FIN-26	-	-	<0.01
Totals		**0.03**	**0.03**	**<0.01**

Facility-Wide Emissions

EUG [1]	Description	NOx		CO		VOC	
		lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
EUG-01	Mining, transportation, and stockpiles	-	-	-	-	-	-
EUG-02	Combustion Equipment	5.43	23.77	27.58	120.79	5.75	25.21
EUG-03	Crushing Equipment	-	-	-	-	-	-
EUG-04	Miscellaneous Activities	-	-	-	-	<0.01	<0.01
Totals		**5.43**	**23.77**	**27.58**	**120.79**	**5.75**	**25.22**
Emissions in Permit No. 2019-1108-TVR4		**5.43**	**23.77**	**27.58**	**120.79**	**5.75**	**25.22**
Change in Emissions [2]		**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

[1] Hourly rates are based on the maximum hourly potential.

[2] Emission factors have been updated since Permit No. 2019-1108-TVR4 issuance. The change in emissions does not reflect a process change at the facility and no permitted emission limits have changed.

EUG [1]	Description	PM		PM_{10}		SO_2	
		lb/hr	lb/hr	TPY	TPY	lb/hr	TPY
EUG-01	Mining, transportation, and stockpiles	41.31	-	-	32.09	-	-
EUG-02	Combustion Equipment	3.66	0.96	4.21	16.02	2.97	13.01
EUG-03	Crushing Equipment	1.53	2.37	3.98	2.39	-	-
EUG-04	Miscellaneous Activities	0.02	0.02	0.03	0.03	-	-
Totals		**46.52**	**50.53**	**3.35**	**8.22**	**2.97**	**13.01**
Emissions from Permit No. 2019-1108-TVR4		**8.49**	**21.18**	**5.45**	**9.10**	**2.97**	**13.01**
Change in Emissions [2]		**38.03**	**29.35**	**(2.10)**	**(0.88)**	**0.00**	**0.00**

[1] Hourly rates are based on the maximum hourly potential.

[2] Emission factors have been updated since Permit No. 2019-1108-TVR4 issuance. The change in emissions does not reflect a process change at the facility and no permitted emission limits have changed.

HAP Emissions

The following table list the expected HAP emissions from B3 based on the stack testing conducted on March 15, 2002. These emissions include a 50% safety factor for conservative estimates:

Point Source	ID#	HAP	Emission (1)	
			lb/hr	TPY
EPN-7	B3	Hydrochloric acid	1.52	6.64
		Hydrogen fluoride	1.61	7.04

(1) Hourly and annual final emissions include a 50% safety factor (1+50%).

The stack test did not include benzene but using emission factors from AP-42 (8/97) Table 11.3-6 shows that benzene is the next highest HAP. With a factor of 2.9E-04 lb/ton, the amount of benzene emitted is 0.03 TPY. The remaining HAPs are considered negligible.

With Hydrochloric acid (HCL) and hydrogen fluoride (HF) being below the major source threshold of 10 TPY individual HAP and 25 TPY of any combined HAPs, the facility is not a major source of HAP.

SECTION VII. INSIGNIFICANT ACTIVITIES

The insignificant activities identified and justified on Part 1b of the forms in the application and duplicated below were confirmed by the initial operating permit inspection. Records were available to confirm the insignificance of the activities. Appropriate record keeping of activities indicated below with "*" is specified in the Specific Conditions.

(1) Space heaters, boilers and emergency flares less than or equal to 5 MMBTU/hr heat input (commercial natural gas). There is one space heater on-site.

(2) Cold degreasing operations utilizing solvents that are denser than air. There is one 25-gallon solvent tub used for washing parts in maintenance. This unit is a maintenance operation; since maintenance is a listed "trivial activity," no recordkeeping will be required.

(3) Welding and soldering operations utilizing less than 100 pounds of solder and 53 tons per year of electrodes. This activity is a maintenance operation; since maintenance is a listed "trivial activity," no recordkeeping will be required.

(4) Sanitary sewage collection and treatment facilities other than incinerators and Publicly Owned Treatment Works (POTW). Stacks or vents for sanitary sewer plumbing traps are also included (i.e., lift station). There is one small lagoon for wastewater on site.

(5) *Activities having the potential to emit no more than 5 TPY (actual) of any criteria pollutant. The primary crusher (FIN 1, 2, and 3) and the grinding room (FIN 4, 5, 6, 7, 8, 9, and 10) each have PM emissions less than 5 TPY. The emissions are calculated based on maximum throughput of FIN 1, 2, 3 (C1) and FIN 4, 5, 6, 7, 8, 9, 10 (C2), no additional recordkeeping will be required for these two emission units.

SECTION VIII. OKLAHOMA AIR POLLUTION CONTROL RULES

OAC 252:100-1 (General Provisions) [Applicable]
Subchapter 1 includes definitions but there are no regulatory requirements.

OAC 252:100-2 (Incorporation by Reference) [Applicable]
This subchapter incorporates by reference applicable provisions of Title 40 of the Code of Federal Regulations listed in OAC 252:100, Appendix Q. These requirements are addressed in the "Federal Regulations" section.

OAC 252:100-3 (Air Quality Standards and Increments) [Applicable]
Subchapter 3 enumerates the primary and secondary ambient air quality standards and the significant deterioration increments. At this time, all of Oklahoma is in "attainment" of these standards.

OAC 252:100-5 (Registration, Emissions Inventory and Annual Operating Fees) [Applicable]
Subchapter 5 requires sources of air contaminants to register with Air Quality, file emission inventories annually, and pay annual operating fees based upon total annual emissions of regulated pollutants. Emission inventories were submitted and fees paid for previous years as required.

OAC 252:100-8 (Permits for Part 70 Sources) [Applicable]
Part 5 includes the general administrative requirements for Part 70 permits. Any planned changes in the operation of the facility that result in emissions not authorized in the permit and that exceed the "Insignificant Activities" or "Trivial Activities" thresholds require prior notification to AQD and may require a permit modification. Insignificant activities refer to those individual emission units either listed in Appendix I or whose actual calendar year emissions do not exceed the following limits.

- 5 TPY of any one criteria pollutant
- 2 TPY of any one hazardous air pollutant (HAP) or 5 TPY of multiple HAP or 20% of any threshold less than 10 TPY for a HAP that the EPA may establish by rule

Emission limitations and operational requirements necessary to assure compliance with all applicable requirements for all sources are taken from the operating permit application, or are developed from the applicable requirement.

OAC 252:100-9 (Excess Emissions Reporting Requirements) [Applicable]
Except as provided in OAC 252:100-9-7(a)(1), the owner or operator of a source of excess emissions shall notify the Director as soon as possible but no later than 4:30 p.m. the following working day of the first occurrence of excess emissions in each excess emission event. No later than thirty (30) calendar days after the start of any excess emission event, the owner or operator of an air contaminant source from which excess emissions have occurred shall submit a report for each excess emission event describing the extent of the event and the actions taken by the owner or operator of the facility in response to this event. Request for mitigation, as described in OAC 252:100-9-8, shall be included in the excess emission event report. Additional reporting may be

required in the case of ongoing emission events and in the case of excess emissions reporting required by 40 CFR Parts 60, 61, or 63.

OAC 252:100-13 (Open Burning) [Applicable]
Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in this subchapter.

OAC 252:100-19 (Particulate Matter) [Applicable]
Section 19-4 regulates emissions of PM from new and existing fuel-burning equipment, with emission limits based on maximum design heat input rating. Fuel-burning equipment is defined in OAC 252:100-19 as any internal combustion engine or gas turbine, or other combustion device used to convert the combustion of fuel into usable energy. Thus, the dryer and kiln are subject to the requirements of this subchapter. OAC 252:100, Appendix C specifies a PM emission limitation of 0.60 lb/MMBTU for all equipment at this facility with a heat input rating of 10 MMBTUH or less. OAC 252:100, Appendix C specifies a PM emission limitation for all equipment at this facility with a heat input rating of greater than 10-MMBTUH, but less than 1,000-MMBTUH based on the following calculation: $E = 1.0428080X^{-0.238561}$, where E is the allowable emission rate and X is the maximum heat input. This permit requires the use of natural gas for all fuel-burning equipment to ensure compliance with Subchapter 19.

ID #	Equipment	Max Heat Input (MMBTUH)	Emissions (lb/MMBTU)	
			Appendix C	Potential
B1 (EPN 5)	Dryer No. 1	2.4	0.60	<0.01
B2 (EPN 7)	Kiln	20.5	0.51	<0.01

Section 19-12 limits particulate emissions from new and existing directly fired fuel-burning units and/or emission points in an industrial process based on process weight rate, as specified in Appendix G. This specification states a PM emission limitation for process weight rates of 30 tons per hour (60,000 pounds per hour) or less shall be based on the following calculation: $E = 4.10P^{0.67}$, and $E = (55.00P^{0.11})-40$ for process weights greater than 30 tons per hour, where E is the allowable emission rate and P is the process weight rate in tons per hour.

ID#	Process Weight Rate (tph)	Emissions (lb/hr)	
		Appendix G	Potential
EPN 1	130	53.95	1.20
EPN 2	105	51.77	0.33
	0.07	0.69	<0.01
FUG-1	130	53.95	0.25
FUG-2	105	51.77	1.56
FUG-3	100	51.28	0.33
FUG-4	100	51.28	0.22

Process points that have a process weight rate of 100 lb/hr or less are exempt from this Section. Based on the process weight rates and emissions, none of the emissions exceed the threshold.

OAC 252:100-25 (Visible Emissions and Particulates) [Applicable]
No discharge of greater than 20% opacity is allowed except for short-term occurrences which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity. When burning natural gas, there is very little possibility of exceeding the opacity standards by the kilns; various material processing operations are vented to baghouses to achieve compliance with Subchapter 25.

OAC 252:100-29 (Fugitive Dust) [Applicable]
No person shall cause or permit the discharge of any visible fugitive dust emissions beyond the property line on which the emissions originated in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or to interfere with the maintenance of air quality standards. Under normal operating conditions, this facility has negligible potential to violate this requirement; therefore it is not necessary to require specific precautions to be taken.

OAC 252:100-31 (Sulfur Compounds) [Applicable]
Part 5 limits sulfur dioxide emissions from new petroleum or natural gas process equipment (constructed after July 1, 1972). For gaseous fuels the limit is 0.2 lb/MMBTU heat input averaged over 3 hours. For fuel gas having a gross calorific value of 1,000 Btu/SCF, this limit corresponds to fuel sulfur content of 1,203 ppmv. This permit requires the use of pipeline-grade natural gas for all fuel-burning equipment to ensure compliance with Subchapter 31.

OAC 252:100-33 (Nitrogen Oxides) [Not Applicable]
This subchapter limits NOx emissions from new fuel-burning equipment with rated heat input greater than or equal to 50 MMBTUH to emissions of 0.2 lb of NOx per MMBTU. There are no equipment items that exceed the 50 MMBTUH threshold.

OAC 252:100-35 (Carbon Monoxide) [Not Applicable]
None of the following affected processes are located at this facility: gray iron cupola, blast furnace, basic oxygen furnace, petroleum catalytic cracking unit, or petroleum catalytic reforming unit.

OAC 252:100-37 (Volatile Organic Compounds) [Applicable]
Part 3 requires storage tanks constructed after December 28, 1974, with a capacity of 400 gallons or more and storing a VOC with a vapor pressure greater than 1.5 psia at maximum storage temperature to be equipped with a permanent submerged fill pipe or with an organic vapor recovery system. The diesel tanks (EPN-8, -9) at the facility are below the 1.5 psia vapor pressure requirement and are therefore exempt. The gasoline tank (EPN-11) is filled through a permanent submerged pipe and is in compliance.
Part 3 requires loading facilities with a throughput equal to or less than 40,000 gallons per day to be equipped with a system for submerged filling tank trucks or trailers if the capacity of the vehicle is greater than 200 gallons. This facility does not have the physical equipment (loading arm and pump) to conduct this type of loading. Therefore, this requirement is not applicable.
Part 5 limits the organic solvent content of coating of parts and products. Any painting operation will involve maintenance coatings of buildings and equipment and emit less than 100 pounds per day of VOCs and so is exempt.

Part 7 requires fuel-burning and refuse-burning equipment to be operated to minimize emissions of VOC. The equipment at this location is subject to this requirement.
Part 7 requires all effluent water separator openings that receive water containing more than 200 gallons per day of any VOC, to be sealed or the separator to be equipped with an external floating roof or a fixed roof with an internal floating roof or a vapor recovery system. No effluent water separators are located at this facility.

OAC 252:100-42 (Toxic Air Contaminants (TAC)) [Applicable]
This subchapter regulates TAC that are emitted into the ambient air in areas of concern (AOC). Any work practice, material substitution, or control equipment required by the Department prior to June 11, 2004, to control a TAC, shall be retained, unless a modification is approved by the Director. Since no AOC has been designated there are no specific requirements for this facility at this time.

OAC 252:100-43 (Testing, Monitoring, and Recordkeeping) [Applicable]
This subchapter provides general requirements for testing, monitoring, and record keeping. It applies to any testing, monitoring, or recordkeeping activity conducted at any stationary source. To determine compliance with emissions limitations or standards, the Air Quality Director may require the owner or operator of any source in the state of Oklahoma to install, maintain, and operate monitoring equipment or to conduct tests, including stack tests, of the air contaminant source. All required testing must be conducted by methods approved by the Air Quality Director and under the direction of qualified personnel. A notice-of-intent to test and a testing protocol shall be submitted to Air Quality at least 30 days prior to any EPA Reference Method stack tests. Emissions and other data required to demonstrate compliance with any federal or state emission limit or standard, or any requirement set forth in a valid permit shall be recorded, maintained, and submitted as required by this subchapter, an applicable rule, or permit requirement. Data from any required testing or monitoring not conducted in accordance with the provisions of this subchapter shall be considered invalid. Nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

The following Oklahoma Air Pollution Control Rules are not applicable to this facility:

OAC 252:100-7	Minor Facilities	not in source category
OAC 252:100-11	Alternative Emissions Reduction	not requested
OAC 252:100-17	Incinerators	not type of emission unit
OAC 252:100-23	Cotton Gins	not type of emission unit
OAC 252:100-24	Feed & Grain Facility	not in source category
OAC 252:100-39	Nonattainment Areas	not in area category
OAC 252:100-47	Landfills	not in source category

SECTION IX. FEDERAL REGULATIONS

PSD, 40 CFR Part 52 [Not Applicable]

PSD does not apply at this time. Final total emissions are less than the PSD major source threshold of 250 TPY of any single regulated pollutant. This facility is not one of the listed stationary sources with a PSD major source emission threshold of 100 TPY.

NSPS, 40 CFR Part 60 [Not Applicable]

Subpart LL, Metallic Mineral Processing Plants. The affected facility to which this subpart applies to are metallic mineral processing plants. There is no mining of metallic mineral, so this facility is not applicable to this subpart.

Subpart OOO, Nonmetallic Mineral Processing Plants. The affected facility to which this subpart applies to is facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. The provisions of this subpart do not apply to affected facilities that commenced construction, modification, or reconstruction before August 31, 1983.

All crushing, grinding, and screening equipment were manufactured before August 31, 1983, and is therefore not applicable to this subpart.

Subpart UUU, Calciners and Dryers in Mineral Industries. The affected facility to which this subpart applies to is each calciner and dryer at a mineral processing plant. Feed and product conveyors are not considered part of the affected facility. For the brick and related clay products industry, only the calcining and drying of raw materials prior to firing of the brick are covered.

The following processes and process units used at mineral processing plants are not subject to the provisions of this subpart: vertical shaft kilns in the magnesium compounds industry; the chlorination-oxidation process in the titanium dioxide industry; coating kilns, mixers, and aerators in the roofing granules industry; and tunnel kilns, tunnel dryers, and apron dryers.

The tunnel kiln and tunnel dryers are exempt and therefore not applicable to this subpart.

NESHAP, 40 CFR Part 61 [Not Applicable]

There are no emissions of any of the regulated pollutants: arsenic, asbestos, beryllium, benzene, coke oven emissions, mercury, radionuclides, or vinyl chloride except for trace amounts of benzene. Subpart J (Equipment Leaks of Benzene) concerns only process streams which contain more than 10% benzene by weight. Benzene is present only in trace amounts at this site.

NESHAP, 40 CFR Part 63 [Subpart CCCCCC Applicable]

Subpart JJJJJ, Brick and Structural Clay Products Manufacturing (BSCP). The affected facility to which this subpart applies to is each BSCP manufacturing that is, is located at, or is part of, a major

source of HAP emissions. This facility is not a major source of HAPs and is therefore not applicable to this subpart.

Subpart CCCCCC, Gasoline Dispensing Facilities (GDF). The affected source to which this subpart applies is each GDF that is located at an area source. The affected source includes each gasoline cargo tank during delivery of product to a GDF and also includes each storage tank. There is one (1) 550-gallon gasoline fuel storage tank on site with an average fuel usage of less than 10,000 gallons per month, making it applicable to this subpart.

If your GDF has a monthly throughput of less than 10,000 gallons of gasoline, you must comply with the requirements listed out in § 63.11116 of this subpart. You must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Such measures to be taken include, but are not limited to, the following:

1.) Minimize gasoline spills;
2.) Clean up spills as expeditiously as practicable;
3.) Cover all gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
4.) Minimize gasoline sent to open waste collection system that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

CAM, 40 CFR Part 64 [Not Applicable]

Compliance Assurance Monitoring (CAM applies to any pollutant specific emission unit at a major source that is required to obtain a Title V permit, if it meets all of the following criteria:

- It is subject to an emission limit or standard for an applicable regulated air pollutant;
- It uses a control device to achieve compliance with the applicable emission limit or standard; and
- It has the potential emissions, prior to the control device, of the applicable regulated air pollutant of greater than the major source thresholds.

Of the emission units that are controlled, none of the potential emissions reach the applicable regulated air pollutant major source threshold prior to control.

Chemical Accident Release Prevention Provisions, 40 CFR Part 68 [Not Applicable]

This facility does not process or store more than the threshold quantity of any regulated substance (Section 112r of the Clean Air Act 1990 Amendments). More information on this federal program is available on the webpage: www.epa.gov/rmp.

Stratospheric Ozone Protection, 40 CFR Part 82 [Subparts A and F Applicable]

These standards require phase out of Class I & II substances, reductions of emissions of Class I & II substances to the lowest achievable level in all use sectors, and banning use of nonessential products containing ozone-depleting substances (Subparts A & C); control servicing of motor

vehicle air conditioners (Subpart B); require Federal agencies to adopt procurement regulations which meet phase out requirements and which maximize the substitution of safe alternatives to Class I and Class II substances (Subpart D); require warning labels on products made with or containing Class I or II substances (Subpart E); maximize the use of recycling and recovery upon disposal (Subpart F); require producers to identify substitutes for ozone-depleting compounds under the Significant New Alternatives Program (Subpart G); and reduce the emissions of halons (Subpart H).

Subpart A identifies ozone-depleting substances and divides them into two classes. Class I controlled substances are divided into seven groups; the chemicals typically used by the manufacturing industry include carbon tetrachloride (Class I, Group IV) and methyl chloroform (Class I, Group V). A complete phase-out of production of Class I substances is required by January 1, 2000 (January 1, 2002, for methyl chloroform). Class II chemicals, which are hydrochlorofluorocarbons (HCFCs), are generally seen as interim substitutes for Class I CFCs. Class II substances consist of 33 HCFCs. A complete phase-out of Class II substances, scheduled in phases starting by 2002, is required by January 1, 2030. This facility does not utilize any Class I & II substance

Subpart F requires that any persons servicing, maintaining, or repairing appliances except for motor vehicle air conditioners; persons disposing of appliances, including motor vehicle air conditioners; refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment comply with the standards for recycling and emissions reduction.

SECTION X. COMPLIANCE

COMPLIANCE AND ENFORCEMENT CASE

There has been no enforcement case opened or resolved since issuance of the last Part 70 renewal permit, Permit No. 2019-1108-TVR4, issued on March 30, 2020. There are no active Air Quality compliance or enforcement issues concerning this facility.

INSPECTION

The following periodic inspections have been conducted since issuance of the last Part 70 renewal permit, Permit No. 2019-1108-TVR4, issued on March 30, 2020:

On May 1, 2020, a full compliance evaluation was conducted off-site by DEQ Enforcement Inspector Rodney Pesch. He was accompanied by John Spence, Plant Manager, who represented AMCE. No violations were discovered.

On June 28, 2022, a full compliance evaluation was conducted on-site by DEQ Enforcement Inspectors Bobbi Franklin and Rodney Pesch. They were accompanied by John Spence, Plant Manager, who represented AMCE. No violations were discovered.

On April 23, 2024, a full compliance evaluation was conducted on-site by DEQ Enforcement Inspectors TJ Wall and Rodney Pesch. They were accompanied by Ranell Johnson, Assistant Plant Manager, who represented AMCE. No violations were discovered.

FEE PAID
The fee of $7,500 for a Part 70 renewal permit application was paid.

SECTION XI. TIER CLASSIFICATION, PUBLIC AND EPA REVIEW

TIER CLASSIFICATION
This application has been determined to be a **Tier II**, based on the request for a permit renewal for an existing major source. The permittee has submitted an affidavit that they are not seeking a permit for land use or for any operation upon land owned by others without their knowledge. The affidavit certifies that the applicant owns the land.

PUBLIC, STATE, AND TRIBAL REVIEW
The applicant has published a "Notice of Filing a Tier II Application" in the *Oklahoman*, a local newspaper in Oklahoma County on December 6, 13, and 20 of 2024. The notices state that the application was available for public review at the facility or the DEQ office in Oklahoma City as well as the Edmond City Library in Edmond, Oklahoma.

The applicant will publish a "Notice of Tier II Draft Permit". The notice will state that the drafted permit will be available for public review at the facility or the DEQ office in Oklahoma City. Information on all permit actions is available for review by the public in the Air Quality section of the DEQ Web page: www.deq.ok.gov.

This facility is not located within 50 miles of the border of Oklahoma. Therefore, notice is not required to be sent to any state bordering Oklahoma.

Tribal Nations will be notified of the drafted permit.

EPA REVIEW
The draft/proposed permit will be forwarded to EPA Region VI for a 45-day review period. This permit was approved for concurrent public and EPA review. If no comments are received from the public, the proposed/draft permit will be deemed the proposed permit.

If the Administrator does not object in writing during the 45-day EPA review period, any person that meets the requirements of OAC 252:100-8-8(j) may petition the Administrator within 60 days after the expiration of the Administrator's 45-day review period to make such objection. Any such petition shall be based only on objections to the permit that the petitioner raised with reasonable specificity during the public comment period provided for in 27A O.S. § 2-14-302.A.2., unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. If the Administrator objects to the permit as a result of a petition filed under OAC 252:100-8-8(j), the DEQ shall not issue the permit until EPA's objection has been resolved, except that a petition for review does not stay the effectiveness of a permit or its requirements if the permit was issued after the end of the 45-day review period and prior to an EPA objection. If the DEQ has issued a permit prior to receipt of an EPA objection under OAC 252:100-8-8(j), the DEQ will modify, terminate, or revoke such permit, and shall do so consistent with the procedures in 40 CFR §§ 70.7(g)(4) or (5)(i) and (ii) except in

unusual circumstances. If the DEQ revokes the permit, it may thereafter issue only a revised permit that satisfies EPA's objection. In any case, the source will not be in violation of the requirement to have submitted a timely and complete application.

SECTION XII. SUMMARY

The facility is constructed as described in the permit application. Ambient air quality standards are not threatened at this site. There are no active Air Quality compliance or enforcement issues that would prevent issuance of the permit. Issuance of the permit is recommended, contingent on public, tribal, and EPA review.

PERMIT TO OPERATE
AIR POLLUTION CONTROL FACILITY
SPECIFIC CONDITIONS

Acme Brick Company
Acme Brick Company - Oklahoma City Plant **Permit No. 2024-0896-TVR5**

The permittee is authorized to operate in conformity with the specifications submitted to Air Quality on August 27, 2024. The Evaluation Memorandum dated April 1, 2025, explains the derivation of applicable permit requirements and estimates of emissions; however, it does not contain operating limitations or permit requirements. Continuing operations under this permit constitutes acceptance of, and consent to, the conditions contained herein:

1. Emission limitations and point of emissions: [OAC 252:100-8-6(a)]

EUG-01: Emissions for mining, transportation, and stockpiles

There are no specific emission limitations for the following emission units:

ID#	Description	Process Rates		Construction Date
		TPH	TPY	
R-1	Haul Roads	130	200,000	1976
S-1	Mined Materials Stockpiles	130	200,000	1976

EUG-02: Combustion Equipment

ID#	Description	Rating (MMBTUH)	Construction Date	Modification Date
B1 (EPN 5)	Dryer No. 1	2.4 (1)	1976	-
B2 (EPN 6)	Dryer No. 2	- (2)	1976	-
B3 (EPN 7)	Kiln	20.5 (3)	1976	2011 (4)

(1) Drying utilizes waste heat from tunnel Kiln.
(2) Dryer not equipped with a supplemental burner. Drying utilizes waste heat from tunnel Kiln.
(3) Heat input taken from facility Emissions Inventory.
(4) Modification occurred in 2011 and was authorized under Permit No. 2009-037-TVR2 (M-1).

ID#	Production Limit (TPY)	NO_X		CO		VOC	
		lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
B1	90,000	1.51	6.62	4.78	20.93	0.46	2.03
B2	90,000	-	-	-	-	0.46	2.03
B3	180,000	3.92	17.15	22.80	99.86	4.83	21.16

ID#	Production Limit (TPY)	SO_2		PM		PM_{10}	
		lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
B1	90,000	-	-	1.19	5.20	-	-
B2	90,000	-	-	1.19	5.20	-	-

ID#	Production Limit (TPY)	SO_2		PM		PM_{10}	
		lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
B3	180,000	2.97	13.01	1.28	5.62	0.96	4.21

Point Source	ID#	HAP	lb/hr	TPY
EPN-7	B3	Hydrochloric acid	2.26	9.9
		Hydrogen fluoride	2.26	9.9

EUG-03: Crushing Equipment

The following units have insignificant fugitive PM emissions and do not have a specific emission limit.

Emission Point	ID#	Description	Construction Date
EPN-1 (Crusher Building & Grinding	FIN-1	Primary Crusher	1976
	FIN-2	Conveyor Drop Point	
	FIN-3	Conveyor Drop Point	
	FIN-4	Scalping Screen	
	FIN-5	Williams Hammer Mill	
	FIN-6	Screen	
	FIN-7	Screen	
	FIN-8	Screen	
	FIN-9	Screen	
EPN-2 (Manufacturing Building and Dust Collector)	FIN-20	Pug Mill	1976
	FIN-24	Additives into Pug Mill	
	FIN-21	Extruder	
	FIN-16	Additives into Extruder	
	FIN-22	Cutter	
	FIN-23	Setter	
FUG-1 (Fugitives from Crushing)	FIN-1	Primary Crusher	1976
	FIN-2	Conveyor Drop Point	
	FIN-3	Conveyor Drop Point	
FUG-2 (Fugitives from Grinding)	FIN-4	Scalping Screen	1976
	FIN-5	Williams Hammer Mill	
	FIN-6	Screen	
	FIN-7	Screen	
	FIN-8	Screen	
	FIN-9	Screen	
	FIN-10	Conveyor	

Emission Point	ID#	Description	Construction Date
FUG-3 (Ground Clay Storage Fugitives)	FIN-11	Conveyor	1976
	FIN-12	Conveyor	
	FIN-13	Conveyor	
FUG-4 (Manufacturing Fugitives)	FIN-14	Surge Hopper	1976
	FIN-15	Conveyor	
	FIN-16	Dry Additive Addition	
	FIN-20	Pug Mill	
	FIN-24	Additive Addition	

EUG-04: Miscellaneous Activities

The following is subject to NSPS Subpart CCCCCC and shall comply with the requirements of Specific Condition No. 9:

Emission Point	ID#	Description	Rating	Construction Date
EPN-11	-	Gasoline Tank	550-gal	1976

The following units have insignificant emissions and do not have a specific emission limit:

Emission Point	ID#	Description	Rating	Construction Date
EPN-8	-	Diesel Tank	10,000-gal	1976
EPN-9	-	Diesel Tank	1,000-gal	2002
FUG-5 (Misc. Fugitives)	FIN-18	Ribbon Mixer	-	1976
	FIN-17	Kiln Car Vacuum	220-ACFM	1976
	FIN-19	Parts Washer	-	1976
	FIN-26	Die-Lube	-	-

2. Total facility production of bricks shall be limited to 180,000 tons in any 12-month period. [OAC 252:100-8-6(a)]

3. The grinding room shall remain enclosed expect for normal ventilation openings such as windows and entry doors. [OAC 252:100-8-6(a)]

4. Haul roads and stockpiles shall be watered when necessary to control emissions of fugitive dust. Other dust control measures may be used provided that the measures are adequate to achieve compliance with applicable requirements. [OAC 252:100-29]

5. The primary crusher and impactor and five screens in the grinding room shall be operated with the dust collector (baghouse) operating properly. The baghouse shall be operated at a range of 2 to 4 inches WC pressure differential. [OAC 252:100-8-6(a)]

6. The fuel-burning equipment shall be fueled with pipeline natural gas or other fuels with the same or less emissions. Compliance can be shown by the following methods: for pipeline natural gas, a current gas company bill; for other gaseous fuel, a current lab analysis, stain tube analysis, gas contract, tariff sheet, or other approved methods Compliance shall be demonstrated at least once annually. [OAC 252:100-31]

7. The facility shall be authorized to operate continuously (24 hours per day, every day of the year). [OAC 252:100-8-6(a)]

8. Compliance with the throughput limits will ensure compliance with the emission limits in Specific Condition No. 1 for EUG-02. The emission limits for EUG-02 were calculated as follows: [OAC 252:100-43]

   a. EU ID# B1 and B2: using emission factors obtained from AP-42 (8/97) Section 11.3-3 (for NO_X, CO, VOC, and PM/PM_{10}), and the appropriate hourly throughput.
   b. EU ID# B3: using emission factors derived from the stack testing for the kiln done on March 15, 2002 (for NO_X, CO, VOC, SO_2, PM/PM_{10}, HCL, and HF) and the appropriate hours of operation.

9. The facility is subject to the NSPS for Gasoline Dispensing Facilities at Area Sources 40 CFR Part 63, Subpart CCCCCC, and shall comply with all applicable requirements including, but not limited to: [40 CFR §63.11110 through §63.11132]

   a. § 63.11110 What is the purpose of this subpart?
   b. § 63.11111 Am I subject to the requirements in this subpart?
   c. § 63.11112 What parts of my affected source does this subpart cover?
   d. § 63.11113 When do I have to comply with this subpart?
   e. § 63.11115 What are my general duties to minimize emissions?
   f. § 63.11116 Requirements for facilities with monthly throughput of less than 10,000 gallons of gasoline.
   g. § 63.11117 Requirements for facilities with monthly throughput of 10,000 gallons of gasoline or more.
   h. § 63.11118 Requirements for facilities with monthly throughput of 100,000 gallons of gasoline or more.
   i. § 63.11120 What testing and monitoring requirements must I meet?
   j. § 63.11124 What notifications must I submit and when?
   k. § 63.11125 What are my recordkeeping requirements?
   l. § 63.11126 What are my reporting requirements?
   m. § 63.11130 What parts of the General Provisions apply to me?
   n. § 63.11131 Who implements and enforces this subpart?
   o. § 63.11132 What definitions apply to this subpart?

10. The permittee shall keep records of operations as listed below. These records shall be maintained on site and accessible to regulatory personnel upon request. Required records shall be retained for a period of at least five years following dates of recording. [OAC 252:100-43]

    a. Brick production by weight (monthly and 12-month rolling totals).
    b. Natural gas consumption (monthly and 12-month rolling totals).
    c. Inspection and maintenance of air pollution control devices for proper operation including baghouse pressure differential (daily when operating).
    d. Usage of brick making additives and die lubricant to verify "Insignificant Activities" (12-month rolling totals).
    e. Records as required by 40 CFR Part 63, Subpart CCCCCC.

11. Reasonable precautions shall be taken to minimize fugitive dust emissions from all activities. These precautions may include, but are not limited to: [OAC 252:100-29]

    a. Use of water or chemicals on roads, stockpiles, and materials during transfer operations.
    b. Application of other coatings or coverings to substances susceptible to becoming air-borne or wind-borne.
    c. Covering or wetting material in trucks.
    d. Planting and maintaining vegetation coverings or windbreaks.
    e. Locate stockpiles as to provide minimum exposure to high winds and avoid open spaces in line with neighboring homes and businesses.
    f. Curtail operations to the extent necessary to comply with the emissions limitation.

12. No later than 30 days after each anniversary date of the issuance of the initial Title V operating permit (August 31, 1999), the permittee shall submit to Air Quality Division of DEQ, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit. [OAC 252:100-8-6(c)(5)(A) & (D)]

13. This permit supersedes all previous Air Quality operating permits for this facility, which are now cancelled.

MAJOR SOURCE AIR QUALITY PERMIT
STANDARD CONDITIONS
(June 21, 2016)

SECTION I. DUTY TO COMPLY

A. This is a permit to operate / construct this specific facility in accordance with the federal Clean Air Act (42 U.S.C. 7401, et al.) and under the authority of the Oklahoma Clean Air Act and the rules promulgated there under. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

B. The issuing Authority for the permit is the Air Quality Division (AQD) of the Oklahoma Department of Environmental Quality (DEQ). The permit does not relieve the holder of the obligation to comply with other applicable federal, state, or local statutes, regulations, rules, or ordinances. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

C. The permittee shall comply with all conditions of this permit. Any permit noncompliance shall constitute a violation of the Oklahoma Clean Air Act and shall be grounds for enforcement action, permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application. All terms and conditions are enforceable by the DEQ, by the Environmental Protection Agency (EPA), and by citizens under section 304 of the Federal Clean Air Act (excluding state-only requirements). This permit is valid for operations only at the specific location listed.
[40 C.F.R. §70.6(b), OAC 252:100-8-1.3 and OAC 252:100-8-6(a)(7)(A) and (b)(1)]

D. 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. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations. [OAC 252:100-8-6(a)(7)(B)]

SECTION II. REPORTING OF DEVIATIONS FROM PERMIT TERMS

A. Any exceedance resulting from an emergency and/or posing an imminent and substantial danger to public health, safety, or the environment shall be reported in accordance with Section XIV (Emergencies). [OAC 252:100-8-6(a)(3)(C)(iii)(I) & (II)]

B. Deviations that result in emissions exceeding those allowed in this permit shall be reported consistent with the requirements of OAC 252:100-9, Excess Emission Reporting Requirements.
[OAC 252:100-8-6(a)(3)(C)(iv)]

C. Every written report submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F.
[OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION III. MONITORING, TESTING, RECORDKEEPING & REPORTING

A. The permittee shall keep records as specified in this permit. These records, including monitoring data and necessary support information, shall be retained on-site or at a nearby field office for a period of at least five years from the date of the monitoring sample, measurement, report, or application, and shall be made available for inspection by regulatory personnel upon request. Support information includes all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Where appropriate, the permit may specify that records may be maintained in computerized form.

[OAC 252:100-8-6 (a)(3)(B)(ii), OAC 252:100-8-6(c)(1), and OAC 252:100-8-6(c)(2)(B)]

B. Records of required monitoring shall include:

(1) the date, place and time of sampling or measurement;
(2) the date or dates analyses were performed;
(3) the company or entity which performed the analyses;
(4) the analytical techniques or methods used;
(5) the results of such analyses; and
(6) the operating conditions existing at the time of sampling or measurement.

[OAC 252:100-8-6(a)(3)(B)(i)]

C. No later than 30 days after each six (6) month period, after the date of the issuance of the original Part 70 operating permit or alternative date as specifically identified in a subsequent Part 70 operating permit, the permittee shall submit to AQD a report of the results of any required monitoring. All instances of deviations from permit requirements since the previous report shall be clearly identified in the report. Submission of these periodic reports will satisfy any reporting requirement of Paragraph E below that is duplicative of the periodic reports, if so noted on the submitted report. [OAC 252:100-8-6(a)(3)(C)(i) and (ii)]

D. If any testing shows emissions in excess of limitations specified in this permit, the owner or operator shall comply with the provisions of Section II (Reporting Of Deviations From Permit Terms) of these standard conditions. [OAC 252:100-8-6(a)(3)(C)(iii)]

E. In addition to any monitoring, recordkeeping or reporting requirement specified in this permit, monitoring and reporting may be required under the provisions of OAC 252:100-43, Testing, Monitoring, and Recordkeeping, or as required by any provision of the Federal Clean Air Act or Oklahoma Clean Air Act. [OAC 252:100-43]

F. Any Annual Certification of Compliance, Semi Annual Monitoring and Deviation Report, Excess Emission Report, and Annual Emission Inventory submitted in accordance with this permit shall be certified by a responsible official. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."

[OAC 252:100-8-5(f), OAC 252:100-8-6(a)(3)(C)(iv), OAC 252:100-8-6(c)(1), OAC 252:100-9-7(e), and OAC 252:100-5-2.1(f)]

G. Any owner or operator subject to the provisions of New Source Performance Standards ("NSPS") under 40 CFR Part 60 or National Emission Standards for Hazardous Air Pollutants ("NESHAPs") under 40 CFR Parts 61 and 63 shall maintain a file of all measurements and other information required by the applicable general provisions and subpart(s). These records shall be maintained in a permanent file suitable for inspection, shall be retained for a period of at least five years as required by Paragraph A of this Section, and shall include records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility, any malfunction of the air pollution control equipment; and any periods during which a continuous monitoring system or monitoring device is inoperative.

[40 C.F.R. §§60.7 and 63.10, 40 CFR Parts 61, Subpart A, and OAC 252:100, Appendix Q]

H. The permittee of a facility that is operating subject to a schedule of compliance shall submit to the DEQ a progress report at least semi-annually. The progress reports shall contain dates for achieving the activities, milestones or compliance required in the schedule of compliance and the dates when such activities, milestones or compliance was achieved. The progress reports shall also contain an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted. [OAC 252:100-8-6(c)(4)]

I. All testing must be conducted under the direction of qualified personnel by methods approved by the Division Director. All tests shall be made and the results calculated in accordance with standard test procedures. The use of alternative test procedures must be approved by EPA. When a portable analyzer is used to measure emissions it shall be setup, calibrated, and operated in accordance with the manufacturer's instructions and in accordance with a protocol meeting the requirements of the "AQD Portable Analyzer Guidance" document or an equivalent method approved by Air Quality.

[OAC 252:100-8-6(a)(3)(A)(iv), and OAC 252:100-43]

J. The reporting of total particulate matter emissions as required in Part 7 of OAC 252:100-8 (Permits for Part 70 Sources), OAC 252:100-19 (Control of Emission of Particulate Matter), and OAC 252:100-5 (Emission Inventory), shall be conducted in accordance with applicable testing or calculation procedures, modified to include back-half condensables, for the concentration of particulate matter less than 10 microns in diameter (PM_{10}). NSPS may allow reporting of only particulate matter emissions caught in the filter (obtained using Reference Method 5).

K. The permittee shall submit to the AQD a copy of all reports submitted to the EPA as required by 40 C.F.R. Part 60, 61, and 63, for all equipment constructed or operated under this permit subject to such standards. [OAC 252:100-8-6(c)(1) and OAC 252:100, Appendix Q]

SECTION IV. COMPLIANCE CERTIFICATIONS

A. No later than 30 days after each anniversary date of the issuance of the original Part 70 operating permit or alternative date as specifically identified in a subsequent Part 70 operating permit, the permittee shall submit to the AQD, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit and of any other applicable requirements which have become effective since the issuance of this permit.

[OAC 252:100-8-6(c)(5)(A), and (D)]

B. The compliance certification shall describe the operating permit term or condition that is the basis of the certification; the current compliance status; whether compliance was continuous or intermittent; the methods used for determining compliance, currently and over the reporting period. The compliance certification shall also include such other facts as the permitting authority may require to determine the compliance status of the source.

[OAC 252:100-8-6(c)(5)(C)(i)-(v)]

C. The compliance certification shall contain a certification by a responsible official as to the results of the required monitoring. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete." [OAC 252:100-8-5(f) and OAC 252:100-8-6(c)(1)]

D. Any facility reporting noncompliance shall submit a schedule of compliance for emissions units or stationary sources that are not in compliance with all applicable requirements. This schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any applicable requirements for which the emissions unit or stationary source is in noncompliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the emissions unit or stationary source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based, except that a compliance plan shall not be required for any noncompliance condition which is corrected within 24 hours of discovery.

[OAC 252:100-8-5(e)(8)(B) and OAC 252:100-8-6(c)(3)]

SECTION V. REQUIREMENTS THAT BECOME APPLICABLE DURING THE PERMIT TERM

The permittee shall comply with any additional requirements that become effective during the permit term and that are applicable to the facility. Compliance with all new requirements shall be certified in the next annual certification. [OAC 252:100-8-6(c)(6)]

SECTION VI. PERMIT SHIELD

A. Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC 252:100-8) shall be deemed compliance with the applicable requirements identified and included in this permit. [OAC 252:100-8-6(d)(1)]

B. Those requirements that are applicable are listed in the Standard Conditions and the Specific Conditions of this permit. Those requirements that the applicant requested be determined as not applicable are summarized in the Specific Conditions of this permit. [OAC 252:100-8-6(d)(2)]

SECTION VII. ANNUAL EMISSIONS INVENTORY & FEE PAYMENT

The permittee shall file with the AQD an annual emission inventory and shall pay annual fees based on emissions inventories. The methods used to calculate emissions for inventory purposes shall be based on the best available information accepted by AQD.
[OAC 252:100-5-2.1, OAC 252:100-5-2.2, and OAC 252:100-8-6(a)(8)]

SECTION VIII. TERM OF PERMIT

A. Unless specified otherwise, the term of an operating permit shall be five years from the date of issuance. [OAC 252:100-8-6(a)(2)(A)]

B. A source's right to operate shall terminate upon the expiration of its permit unless a timely and complete renewal application has been submitted at least 180 days before the date of expiration. [OAC 252:100-8-7.1(d)(1)]

C. A duly issued construction permit or authorization to construct or modify will terminate and become null and void (unless extended as provided in OAC 252:100-8-1.4(b)) if the construction is not commenced within 18 months after the date the permit or authorization was issued, or if work is suspended for more than 18 months after it is commenced. [OAC 252:100-8-1.4(a)]

D. The recipient of a construction permit shall apply for a permit to operate (or modified operating permit) within 180 days following the first day of operation. [OAC 252:100-8-4(b)(5)]

SECTION IX. SEVERABILITY

The provisions of this permit are severable and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
[OAC 252:100-8-6 (a)(6)]

SECTION X. PROPERTY RIGHTS

A. This permit does not convey any property rights of any sort, or any exclusive privilege.
[OAC 252:100-8-6(a)(7)(D)]

B. This permit shall not be considered in any manner affecting the title of the premises upon which the equipment is located and does not release the permittee from any liability for damage to persons or property caused by or resulting from the maintenance or operation of the equipment for which the permit is issued. [OAC 252:100-8-6(c)(6)]

SECTION XI. DUTY TO PROVIDE INFORMATION

A. The permittee shall furnish to the DEQ, upon receipt of a written request and within sixty (60) days of the request unless the DEQ specifies another time period, any information that the DEQ may request to determine whether cause exists for modifying, reopening, revoking, reissuing,

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.

[OAC 252:100-8-6(a)(7)(E)]

B. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 27A O.S. § 2-5-105(18). Confidential information shall be clearly labeled as such and shall be separable from the main body of the document such as in an attachment.

[OAC 252:100-8-6(a)(7)(E)]

C. Notification to the AQD of the sale or transfer of ownership of this facility is required and shall be made in writing within thirty (30) days after such sale or transfer.

[Oklahoma Clean Air Act, 27A O.S. § 2-5-112(G)]

SECTION XII. REOPENING, MODIFICATION & REVOCATION

A. The permit may be modified, revoked, reopened and reissued, or terminated for cause. Except as provided for minor permit modifications, the filing of a request by the permittee for a permit modification, revocation and reissuance, termination, notification of planned changes, or anticipated noncompliance does not stay any permit condition.

[OAC 252:100-8-6(a)(7)(C) and OAC 252:100-8-7.2(b)]

B. The DEQ will reopen and revise or revoke this permit prior to the expiration date in the following circumstances: [OAC 252:100-8-7.3 and OAC 252:100-8-7.4(a)(2)]

(1) Additional requirements under the Clean Air Act become applicable to a major source category three or more years prior to the expiration date of this permit. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit.
(2) The DEQ or the EPA determines that this permit contains a material mistake or that the permit must be revised or revoked to assure compliance with the applicable requirements.
(3) The DEQ or the EPA determines that inaccurate information was used in establishing the emission standards, limitations, or other conditions of this permit. The DEQ may revoke and not reissue this permit if it determines that the permittee has submitted false or misleading information to the DEQ.
(4) DEQ determines that the permit should be amended under the discretionary reopening provisions of OAC 252:100-8-7.3(b).

C. The permit may be reopened for cause by EPA, pursuant to the provisions of OAC 100-8-7.3(d). [OAC 100-8-7.3(d)]

D. The permittee shall notify AQD before making changes other than those described in Section XVIII (Operational Flexibility), those qualifying for administrative permit amendments, or those defined as an Insignificant Activity (Section XVI) or Trivial Activity (Section XVII). The notification should include any changes which may alter the status of a "grandfathered source," as defined under AQD rules. Such changes may require a permit modification.

[OAC 252:100-8-7.2(b) and OAC 252:100-5-1.1]

E. Activities that will result in air emissions that exceed the trivial/insignificant levels and that are not specifically approved by this permit are prohibited. [OAC 252:100-8-6(c)(6)]

SECTION XIII. INSPECTION & ENTRY

A. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized regulatory officials to perform the following (subject to the permittee's right to seek confidential treatment pursuant to 27A O.S. Supp. 1998, § 2-5-105(17) for confidential information submitted to or obtained by the DEQ under this section):

(1) enter upon the permittee's premises during reasonable/normal working hours where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
(2) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
(3) inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
(4) as authorized by the Oklahoma Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit.

[OAC 252:100-8-6(c)(2)]

SECTION XIV. EMERGENCIES

A. Any exceedance resulting from an emergency shall be reported to AQD promptly but no later than 4:30 p.m. on the next working day after the permittee first becomes aware of the exceedance. This notice shall contain a description of the emergency, the probable cause of the exceedance, any steps taken to mitigate emissions, and corrective actions taken.

[OAC 252:100-8-6 (a)(3)(C)(iii)(I) and (IV)]

B. Any exceedance that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to AQD as soon as is practicable; but under no circumstance shall notification be more than 24 hours after the exceedance. [OAC 252:100-8-6(a)(3)(C)(iii)(II)]

C. An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error. [OAC 252:100-8-2]

D. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that: [OAC 252:100-8-6 (e)(2)]

(1) an emergency occurred and the permittee can identify the cause or causes of the emergency;

(2) the permitted facility was at the time being properly operated;
(3) during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit.

E. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [OAC 252:100-8-6(e)(3)]

F. Every written report or document submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F.
[OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION XV. RISK MANAGEMENT PLAN

The permittee, if subject to the provision of Section 112(r) of the Clean Air Act, shall develop and register with the appropriate agency a risk management plan by June 20, 1999, or the applicable effective date. [OAC 252:100-8-6(a)(4)]

SECTION XVI. INSIGNIFICANT ACTIVITIES

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate individual emissions units that are either on the list in Appendix I to OAC Title 252, Chapter 100, or whose actual calendar year emissions do not exceed any of the limits below. Any activity to which a State or Federal applicable requirement applies is not insignificant even if it meets the criteria below or is included on the insignificant activities list.

(1) 5 tons per year of any one criteria pollutant.
(2) 2 tons per year for any one hazardous air pollutant (HAP) or 5 tons per year for an aggregate of two or more HAP's, or 20 percent of any threshold less than 10 tons per year for single HAP that the EPA may establish by rule.
[OAC 252:100-8-2 and OAC 252:100, Appendix I]

SECTION XVII. TRIVIAL ACTIVITIES

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate any individual or combination of air emissions units that are considered inconsequential and are on the list in Appendix J. Any activity to which a State or Federal applicable requirement applies is not trivial even if included on the trivial activities list.
[OAC 252:100-8-2 and OAC 252:100, Appendix J]

SECTION XVIII. OPERATIONAL FLEXIBILITY

A. A facility may implement any operating scenario allowed for in its Part 70 permit without the need for any permit revision or any notification to the DEQ (unless specified otherwise in the permit). When an operating scenario is changed, the permittee shall record in a log at the facility the scenario under which it is operating. [OAC 252:100-8-6(a)(10) and (f)(1)]

B. The permittee may make changes within the facility that:

(1) result in no net emissions increases,
(2) are not modifications under any provision of Title I of the federal Clean Air Act, and
(3) do not cause any hourly or annual permitted emission rate of any existing emissions unit to be exceeded;

provided that the facility provides the EPA and the DEQ with written notification as required below in advance of the proposed changes, which shall be a minimum of seven (7) days, or twenty four (24) hours for emergencies as defined in OAC 252:100-8-6 (e). The permittee, the DEQ, and the EPA shall attach each such notice to their copy of the permit. For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change. The permit shield provided by this permit does not apply to any change made pursuant to this paragraph. [OAC 252:100-8-6(f)(2)]

SECTION XIX. OTHER APPLICABLE & STATE-ONLY REQUIREMENTS

A. The following applicable requirements and state-only requirements apply to the facility unless elsewhere covered by a more restrictive requirement:

(1) Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in the Open Burning Subchapter. [OAC 252:100-13]

(2) No particulate emissions from any fuel-burning equipment with a rated heat input of 10 MMBTUH or less shall exceed 0.6 lb/MMBTU. [OAC 252:100-19]

(3) For all emissions units not subject to an opacity limit promulgated under 40 C.F.R., Part 60, NSPS, no discharge of greater than 20% opacity is allowed except for: [OAC 252:100-25]

(a) Short-term occurrences which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity;
(b) Smoke resulting from fires covered by the exceptions outlined in OAC 252:100-13-7;
(c) An emission, where the presence of uncombined water is the only reason for failure to meet the requirements of OAC 252:100-25-3(a); or
(d) Smoke generated due to a malfunction in a facility, when the source of the fuel producing the smoke is not under the direct and immediate control of the facility and the immediate constriction of the fuel flow at the facility would produce a hazard to life and/or property.

(4) No visible fugitive dust emissions shall be discharged beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of

adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. [OAC 252:100-29]

(5) No sulfur oxide emissions from new gas-fired fuel-burning equipment shall exceed 0.2 lb/MMBTU. No existing source shall exceed the listed ambient air standards for sulfur dioxide. [OAC 252:100-31]

(6) Volatile Organic Compound (VOC) storage tanks built after December 28, 1974, and with a capacity of 400 gallons or more storing a liquid with a vapor pressure of 1.5 psia or greater under actual conditions shall be equipped with a permanent submerged fill pipe or with a vapor-recovery system. [OAC 252:100-37-15(b)]

(7) All fuel-burning equipment shall at all times be properly operated and maintained in a manner that will minimize emissions of VOCs. [OAC 252:100-37-36]

SECTION XX. STRATOSPHERIC OZONE PROTECTION

A. The permittee shall comply with the following standards for production and consumption of ozone-depleting substances: [40 CFR 82, Subpart A]

(1) Persons producing, importing, or placing an order for production or importation of certain class I and class II substances, HCFC-22, or HCFC-141b shall be subject to the requirements of §82.4;
(2) Producers, importers, exporters, purchasers, and persons who transform or destroy certain class I and class II substances, HCFC-22, or HCFC-141b are subject to the recordkeeping requirements at §82.13; and
(3) Class I substances (listed at Appendix A to Subpart A) include certain CFCs, Halons, HBFCs, carbon tetrachloride, trichloroethane (methyl chloroform), and bromomethane (Methyl Bromide). Class II substances (listed at Appendix B to Subpart A) include HCFCs.

B. If the permittee performs a service on motor (fleet) vehicles when this service involves an ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all applicable requirements. Note: The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant. [40 CFR 82, Subpart B]

C. The permittee shall comply with the following standards for recycling and emissions reduction except as provided for MVACs in Subpart B: [40 CFR 82, Subpart F]

(1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156;
(2) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to § 82.158;
(3) Persons performing maintenance, service, repair, or disposal of appliances must be

certified by an approved technician certification program pursuant to § 82.161;
(4) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record-keeping requirements pursuant to § 82.166;
(5) Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to § 82.158; and
(6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

SECTION XXI. TITLE V APPROVAL LANGUAGE

A. DEQ wishes to reduce the time and work associated with permit review and, wherever it is not inconsistent with Federal requirements, to provide for incorporation of requirements established through construction permitting into the Source's Title V permit without causing redundant review. Requirements from construction permits may be incorporated into the Title V permit through the administrative amendment process set forth in OAC 252:100-8-7.2(a) only if the following procedures are followed:

(1) The construction permit goes out for a 30-day public notice and comment using the procedures set forth in 40 C.F.R. § 70.7(h)(1). This public notice shall include notice to the public that this permit is subject to EPA review, EPA objection, and petition to EPA, as provided by 40 C.F.R. § 70.8; that the requirements of the construction permit will be incorporated into the Title V permit through the administrative amendment process; that the public will not receive another opportunity to provide comments when the requirements are incorporated into the Title V permit; and that EPA review, EPA objection, and petitions to EPA will not be available to the public when requirements from the construction permit are incorporated into the Title V permit.
(2) A copy of the construction permit application is sent to EPA, as provided by 40 CFR § 70.8(a)(1).
(3) A copy of the draft construction permit is sent to any affected State, as provided by 40 C.F.R. § 70.8(b).
(4) A copy of the proposed construction permit is sent to EPA for a 45-day review period as provided by 40 C.F.R.§ 70.8(a) and (c).
(5) The DEQ complies with 40 C.F.R. § 70.8(c) upon the written receipt within the 45-day comment period of any EPA objection to the construction permit. The DEQ shall not issue the permit until EPA's objections are resolved to the satisfaction of EPA.
(6) The DEQ complies with 40 C.F.R. § 70.8(d).
(7) A copy of the final construction permit is sent to EPA as provided by 40 CFR § 70.8(a).
(8) The DEQ shall not issue the proposed construction permit until any affected State and EPA have had an opportunity to review the proposed permit, as provided by these permit conditions.
(9) Any requirements of the construction permit may be reopened for cause after incorporation into the Title V permit by the administrative amendment process, by DEQ as provided in OAC 252:100-8-7.3(a), (b), and (c), and by EPA as provided in 40 C.F.R. § 70.7(f) and (g).

(10) The DEQ shall not issue the administrative permit amendment if performance tests fail to demonstrate that the source is operating in substantial compliance with all permit requirements.

B. To the extent that these conditions are not followed, the Title V permit must go through the Title V review process.

SECTION XXII. CREDIBLE EVIDENCE

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any provision of the Oklahoma implementation plan, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[OAC 252:100-43-6]

PART 70 PERMIT

AIR QUALITY DIVISION
STATE OF OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY
707 N. ROBINSON, SUITE 4100
P.O. BOX 1677
OKLAHOMA CITY, OKLAHOMA 73101-1677

Permit No. 2024-0896-TVR5

Acme Brick Company

having complied with the requirements of the law, is hereby granted permission to operate all sources within the boundaries of the Acme Brick Company - Oklahoma City Plant at 500 East Memorial Road, Oklahoma County, Oklahoma, subject to Standard Conditions dated June 21, 2016, and Specific Conditions, both attached.

DRAFT/PROPOSED

Phillip Fielder, P.E.
Chief Engineer

Date Issued

Robert Singletary
Executive Director

OKLAHOMA Environmental Quality

Kevin Stitt
Governor

Jason Winner
Acme Brick Company
P.O. Box 5008
Edmond, OK 73083

SUBJECT: Title V Permit No. **2024-0896-O**
Acme Brick Company
Acme Brick Company - Oklahoma City Plant
Facility ID: 7
Section 15, Township 13N, Range 3W, Oklahoma County, Oklahoma

Dear Jason Winner:

Enclosed is the permit authorizing the operation of the facility referenced above. Please note that this permit is issued subject to standard and specific conditions, which are attached. These conditions must be carefully followed since they define the limits of the permit and will be confirmed by periodic inspections.

Also note that you are required to annually submit an emissions inventory for this facility. An emissions inventory must be completed through DEQ's electronic reporting system by April 1st of every year. Any questions concerning the submittal process should be referred to the Emissions Inventory Staff at (405) 702-4100.

Thank you for your cooperation. If you have any questions, please refer to the permit number above and contact the permit writer at *Elijah.Ecklund@deq.ok.gov* or by phone at (918) 293-1622.

Sincerely,

DRAFT/PROPOSED

Phillip Fielder, P.E.
Chief Engineer
AIR QUALITY DIVISION

Enclosures: AQD Public Review Process
Sample Notice Form
AQD Acronym List

Jason Winner
Acme Brick Company
P.O. Box 5008
Edmond, OK 73083

SUBJECT: Title V Permit No. **2024-0896-O**
Acme Brick Company
Acme Brick Company - Oklahoma City Plant
Facility ID: 7
Section 15, Township 13N, Range 3W, Oklahoma County, Oklahoma

Dear Jason Winner:

Air Quality has received the permit application for the reference facility and completed initial review. This application has been determined to be a Tier II application. In accordance with 27A O.S. 2-14-301 and 302 and OAC 252:4-7-13(c), the enclosed draft permit is now ready for public review. The requirements for public review of the draft permit include the following steps, which **you** must accomplish:

1. Publish at least one legal notice (one day) in at least one newspaper of general circulation within the county where the facility is located (Instructions enclosed);
2. Submit sample notice and provide date of publication to **AQD 5 days prior to notice publishing;**
3. Provide for public review, for a period of 30 days following the date of the newspaper announcement, a copy of the application and draft permit at a convenient location (preferentially at a public location) within the county of the facility;
4. Send AQD a signed affidavit of publication for the notice(s) from Item #1 above within 20 days of publication of the draft permit. Any additional comments or requested changes you have for the draft permit or the application should be submitted within 30 days of publication.

Thank you for your cooperation. If you have any questions, please refer to the authorization number above and contact the permit writer at Elijah.Ecklund@deq.ok.gov, or at (918) 293-1622.

Sincerely,

Phillip Fielder

Phillip Fielder, P.E.
Chief Engineer
AIR QUALITY DIVISION

NOTICE OF DRAFT PERMIT
TIER II or TIER III AIR QUALITY PERMIT APPLICATION

APPLICANT RESPONSIBILITIES

Permit applicants are required to give public notice that a Tier II or Tier III draft permit has been prepared by DEQ. The notice must be published in one newspaper local to the site or facility. Note that if either the applicant or the public requests a public meeting, this must be arranged by the DEQ.

1. Complete the public notice using the samples provided by AQD below. Please use the version applicable to the requested permit action;
   Version 1 – Traditional NSR process for a construction permit
   Version 2 – Enhanced NSR process for a construction permit
   Version 3 – initial Title V (Part 70 Source) operating permit, Title V operating permit renewal, Significant Modification to a Title V operating permit, and any Title V operating permit modification incorporating a construction permit that followed Traditional NSR process
2. Determine appropriate newspaper local to facility for publishing;
3. Submit sample notice and provide date of publication to AQD 5 days prior to notice publishing;
4. Upon publication, a signed affidavit of publication must be obtained from the newspaper and sent to AQD.

REQUIRED CONTENT (27A O.S. § 2-14-302 and OAC 252:4-7-13(c))

1. A statement that a Tier II or Tier III draft permit has been prepared by DEQ;
2. Name and address of the applicant;
3. Name, address, driving directions, legal description and county of the site or facility;
4. The type of permit or permit action being sought;
5. A description of activities to be regulated, including an estimate of emissions from the facility;
6. Location(s) where the application and draft permit may be reviewed (a location in the county where the site/facility is located must be included);
7. Name, address, and telephone number of the applicant and DEQ contacts;
8. Any additional information required by DEQ rules or deemed relevant by applicant;
9. A 30-day opportunity to request a formal public meeting on the draft permit.

SAMPLE NOTICE: **On the Following Page**

DEQ NOTICE OF TIER *…II or III…* **DRAFT PERMIT**

A Tier *…II or III…* **application for an air quality** *…type of permit or permit action being sought (e.g., significant modification to a Title V permit or Title V/Title V renewal permit)…* **has been filed with the Oklahoma Department of Environmental Quality (DEQ) by applicant,** *…name and address.*

The applicant requests approval to *…brief description of purpose of application…* **at the** *…site/facility name … …***[proposed to be] located at** *…physical address (if any), driving directions, and legal description including county…..*

In response to the application, DEQ has prepared a draft operating permit [modification] (Permit Number: *…xxxx-xxxx-x…***), which may be reviewed at** *…locations (one must be in the county where the site/facility is located)…* **or at the Air Quality Division's main office (see address below). The draft permit is also available for review under Permits for Public Review on the DEQ Web Page: http://www.deq.ok.gov/**

This draft permit would authorize the facility to emit the following regulated pollutants: *(list each pollutant and amounts in tons per year (TPY))* [For facility modifications only, either add**: , which represents** *(identify the emissions change involved in the modification)*, or add: **. The modification will not result in a change in emissions**]

The public comment period ends 30 days after the date of publication of this notice. Any person may submit written comments concerning the draft permit to the Air Quality Division contact listed below or as directed through the corresponding online notice. [Modifications only, add: **Only those issues relevant to the proposed modification(s) are open for comment.**] **A public meeting on the draft permit [modification] may also be requested in writing at the same address. Note that all public meetings are to be arranged and conducted by DEQ staff.**

In addition to the public comment opportunity offered under this notice, this draft permit is subject to U.S. Environmental Protection Agency (EPA) review, EPA objection, and petition to EPA, as provided by 40 CFR § 70.8.

If the Administrator (EPA) does not object to the proposed permit, the public has 60 days following the Administrator's 45-day review period to petition the Administrator to make such an objection as provided in 40 CFR 70.8(d) and in OAC 252:100-8-8(j).

Information on all permit actions including draft permits, proposed permits, final issued permits and applicable review timelines are available in the Air Quality section of the DEQ Web page:
http://www.deq.ok.gov/.

For additional information, contact *…names, addresses and telephone numbers of contact persons for the applicant,* **or contact DEQ at: Chief Engineer, Air Quality Division, 707 N. Robinson, Suite 4100, P.O. Box 1677, Oklahoma City, OK, 73101-1677. Phone No. (405) 702-4100.**

Department of Environmental Quality (DEQ)
Air Quality Division (AQD)
Acronym List
11-21-2024

ACFM	Actual Cubic Feet per Minute
AD	Applicability Determination
AFRC	Air-to-Fuel Ratio Controller
API	American Petroleum Institute
ASTM	American Society for Testing and Materials
AVO	Audio, Visual, or Olfactory
BACT	Best Available Control Technology
BAE	Baseline Actual Emissions
BBL	Barrel(s)
BHP	Brake Horsepower (bhp)
BTEX	Benzene, Toluene, Ethylbenzene, Xylene
BTU	British thermal unit (Btu)
C&E	Compliance and Enforcement
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CAS	Chemical Abstract Service
CAAA	Clean Air Act Amendments
CC	Catalytic Converter
CCR	Continuous Catalyst Regeneration
CD	Consent Decree
CEM	Continuous Emission Monitor
CFC	Chlorofluorocarbon
CFR	Code of Federal Regulations
CI	Compression Ignition
CNG	Compressed Natural Gas
CO	Carbon Monoxide or Consent Order
COA	Capable of Accommodating
COM	Continuous Opacity Monitor
D	Day
DEF	Diesel Exhaust Fluid
DG	Demand Growth
DSCF	Dry Standard (At Standard Conditions) Cubic Foot (Feet)
EGU	Electric Generating Unit
EI	Emissions Inventory
EPA	Environmental Protection Agency
ESP	Electrostatic Precipitator
EUG	Emissions Unit Group
EUSGU	Electric Utility Steam Generating Unit
FCE	Full Compliance Evaluation
FCCU	Fluid Catalytic Cracking Unit
FEL	Federally Enforceable Limit(s)
FIP	Federal Implementation Plan
FR	Federal Register
GACT	Generally Achievable Control Technology
GAL	Gallon (gal)
GDF	Gasoline Dispensing Facility
GEP	Good Engineering Practice
GHG	Greenhouse Gases
GR	Grain(s) (gr)
H_2CO	Formaldehyde
H_2S	Hydrogen Sulfide
HAP	Hazardous Air Pollutants
HC	Hydrocarbon
HCFC	Hydrochlorofluorocarbon
HFR	Horizontal Fixed Roof
HON	Hazardous Organic NESHAP
HP	Horsepower (hp)
HR	Hour (hr)
I&M	Inspection and Maintenance
IBR	Incorporation by Reference
ICE	Internal Combustion Engine
LAER	Lowest Achievable Emission Rate
LB	Pound(s) [Mass] (lb, lbs, lbm)
LB/HR	Pound(s) per Hour (lb/hr)
LDAR	Leak Detection and Repair
LNG	Liquefied Natural Gas
LT	Long Ton(s) (metric)
LPE	Legally and Practicably Enforceable
M	Thousand (Roman Numeral)
MAAC	Maximum Acceptable Ambient Concentration
MACT	Maximum Achievable Control Technology
MM	Prefix used for Million (Thousand-Thousand)
MMBTU	Million British Thermal Units (MMBtu)
MMBTUH	Million British Thermal Units per Hour (MMBtu/hr)
MMSCF	Million Standard Cubic Feet (MMscf)
MMSCFD	Million Standard Cubic Feet per Day
MSDS	Material Safety Data Sheet
MWC	Municipal Waste Combustor
MWe	Megawatt Electrical
NA	Nonattainment
NAAQS	National Ambient Air Quality Standards
NAICS	North American Industry Classification System
NESHAP	National Emission Standards for Hazardous Air Pollutants
NH_3	Ammonia
NMHC	Non-methane Hydrocarbon
NGL	Natural Gas Liquids
NO_2	Nitrogen Dioxide
NOx	Nitrogen Oxides
NOI	Notice of Intent
NSCR	Non-Selective Catalytic Reduction

NSPS	New Source Performance Standards
NSR	New Source Review
O_3	Ozone
O&G	Oil and Gas
O&M	Operation and Maintenance
O&NG	Oil and Natural Gas
OAC	Oklahoma Administrative Code
OC	Oxidation Catalyst
OGI	Optical Gas Imaging
PAH	Polycyclic Aromatic Hydrocarbons
PAE	Projected Actual Emissions
PAL	Plant-wide Applicability Limit
Pb	Lead
PBR	Permit by Rule
PCB	Polychlorinated Biphenyls
PCE	Partial Compliance Evaluation
PEA	Portable Emissions Analyzer
PFAS	Per- and Polyfluoroalkyl Substance
PM	Particulate Matter
$PM_{2.5}$	Particulate Matter with an Aerodynamic Diameter <= 2.5 Micrometers
PM_{10}	Particulate Matter with an Aerodynamic Diameter <= 10 Micrometers
POM	Particulate Organic Matter or Polycyclic Organic Matter
ppb	Parts per Billion
ppm	Parts per Million
ppmv	Parts per Million Volume
ppmvd	Parts per Million Dry Volume
PSD	Prevention of Significant Deterioration
psi	Pounds per Square Inch
psia	Pounds per Square Inch Absolute
psig	Pounds per Square Inch Gage
RACT	Reasonably Available Control Technology
RATA	Relative Accuracy Test Audit
RAP	Regulated Air Pollutant or Reclaimed Asphalt Pavement
RFG	Refinery Fuel Gas
RICE	Reciprocating Internal Combustion Engine
RO	Responsible Official
ROAT	Regional Office at Tulsa
RVP	Reid Vapor Pressure
SCC	Source Classification Code
SCF	Standard Cubic Foot
SCFD	Standard Cubic Feet per Day
SCFM	Standard Cubic Feet per Minute
SCR	Selective Catalytic Reduction
SER	Significant Emission Rate
SI	Spark Ignition
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SNCR	Selective Non-Catalytic Reduction
SO_2	Sulfur Dioxide
SOx	Sulfur Oxides
SOP	Standard Operating Procedure
SRU	Sulfur Recovery Unit
T	Tons
TAC	Toxic Air Contaminant
TEG	Triethylene Glycol
THC	Total Hydrocarbons
TPY	Tons per Year
TRS	Total Reduced Sulfur
TSP	Total Suspended Particulates
TV	Title V of the Federal Clean Air Act
$\mu g/m^3$	Micrograms per Cubic Meter
US EPA	U. S. Environmental Protection Agency
VFR	Vertical Fixed Roof
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
VOL	Volatile Organic Liquid
VRT	Vapor Recovery Tower
VRU	Vapor Recovery Unit
YR	Year
2SLB	2-Stroke Lean Burn
4SLB	4-Stroke Lean Burn
4SRB	4-Stroke Rich Burn