

FEDERAL OPERATING PERMIT

A FEDERAL OPERATING PERMIT IS HEREBY ISSUED TO

Elementis Chromium, L.P.

AUTHORIZING THE OPERATION OF
Elementis Chromium Corpus Christi Site
Industrial Inorganic Chemicals

LOCATED AT

Nueces County, Texas

LATITUDE 27° 48' 56" LONGITUDE 97° 26' 4"

Regulated Entity Number: RN100210814

This permit is issued in accordance with and subject to the Texas Clean Air Act (TCAA), Chapter 382 of the Texas Health and Safety Code and Title 30 Texas Administrative Code Chapter 122 (30 TAC Chapter 122), Federal Operating Permits. Under 30 TAC Chapter 122, this permit constitutes the permit holder's authority to operate the site and emission units listed in this permit. Operation of the site and emission units listed in this permit are subject to all additional rules or amended rules and orders of the Commission pursuant to the TCAA.

This permit does not relieve the permit holder from the responsibility of obtaining New Source Review authorization for new, modified, or existing facilities in accordance with 30 TAC Chapter 116, Control of Air Pollution by Permits for New Construction or Modification.

The site and emission units authorized by this permit shall be operated in accordance with 30 TAC Chapter 122, the general terms and conditions, special terms and conditions, and attachments contained herein.

This permit shall expire five years from the date of issuance. The renewal requirements specified in 30 TAC § 122.241 must be satisfied in order to renew the authorization to operate the site and emission units.

Permit No: O1556
Issuance Date: January 11, 2008

For the Commission

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GENERAL TERMS AND CONDITIONS

The permit holder shall comply with all terms and conditions contained in 30 TAC § 122.143 (General Terms and Conditions), 30 TAC § 122.144 (Recordkeeping Terms and Conditions), 30 TAC § 122.145 (Reporting Terms and Conditions), and 30 TAC § 122.146 (Compliance Certification Terms and Conditions).

If the permit holder chooses to demonstrate that this permit is no longer required, a written request to void this permit shall be submitted to the Texas Commission on Environmental Quality (TCEQ) by the Responsible Official in accordance with 30 TAC § 122.161(e). The permit holder shall comply with the permit's requirements, including compliance certification and deviation reporting, until notified by the TCEQ that this permit is voided.

The permit holder shall comply with 30 TAC Chapter 116 by obtaining a New Source Review authorization prior to new construction or modification of emission units located in the area covered by this permit.

All reports required by this permit shall be forwarded to the TCEQ Central Office and to the TCEQ Regional Office for your site. Reports submitted must include a cover letter which identifies the following information: company name, TCEQ regulated entity number, site name, area name (if applicable), and Air Permits Division permit number.

SPECIAL TERMS AND CONDITIONS:

Emission Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting:

1. Permit holder shall comply with the following requirements:
 - A. Emission units (including groups and processes) in the Applicable Requirements Summary attachment shall meet the limitations, standards, equipment specifications, monitoring, recordkeeping, reporting, testing, and other requirements listed in the Applicable Requirements Summary attachment to assure compliance with the permit.
 - B. The textual description in the column titled "Textual Description" in the Applicable Requirements Summary attachment is not enforceable and is not deemed as a substitute for the actual regulatory language. The Textual Description is provided for information purposes only.
 - C. A citation listed on the Applicable Requirements Summary attachment, which has a notation [G] listed before it, shall include the referenced section and subsection for all commission rules, or paragraphs for all federal and state regulations and all subordinate paragraphs, subparagraphs and clauses, subclauses, and items contained within the

referenced citation as applicable requirements.

- D. The permit holder shall comply with the applicable requirements of 40 CFR Part 63, Subpart NNNNNN as identified in the attached Applicable Requirements Summary by January 16, 2008.
2. The permit holder shall comply with the following sections of 30 TAC Chapter 101 (General Air Quality Rules):
- A. Title 30 TAC § 101.1 (relating to Definitions), insofar as the terms defined in this section are used to define the terms used in other applicable requirements
 - B. Title 30 TAC § 101.3 (relating to Circumvention)
 - C. Title 30 TAC § 101.8 (relating to Sampling), if such action has been requested by the TCEQ
 - D. Title 30 TAC § 101.9 (relating to Sampling Ports), if such action has been requested by the TCEQ
 - E. Title 30 TAC § 101.10 (relating to Emissions Inventory Requirements)
 - F. Title 30 TAC § 101.201 (relating to Emission Event Reporting and Recordkeeping Requirements)
 - G. Title 30 TAC § 101.211 (relating to Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements)
 - H. Title 30 TAC § 101.221 (relating to Operational Requirements)
 - I. Title 30 TAC § 101.222 (relating to Demonstrations)
 - J. Title 30 TAC § 101.223 (relating to Actions to Reduce Excessive Emissions)
3. Permit holder shall comply with the following requirements of 30 TAC Chapter 111:
- A. For stationary vents with a flow rate of less than 100,000 actual cubic feet per minute and constructed on or before January 31, 1972 that are not listed in the Applicable Requirements Summary attachment, the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(1)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(1)(E)
- (iii) Title 30 TAC § 111.111(a)(1)(F)(i), (ii), (iii), or (iv)
- (iv) For emission units with vent emissions subject to 30 TAC § 111.111(a)(1)(A), complying with 30 TAC § 111.111(a)(1)(F)(ii), (iii), or (iv), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146. These periodic monitoring requirements do not apply to vents that do not emit visible emissions such as vents that emit only VOC or vents that provide passive ventilation, such as plumbing vents; or vents that are subject to the emission limitation of 30 TAC § 111.111(a)(1)(A) and Compliance Assurance Monitoring, as specified in the attached Applicable Requirements Summary and "Additional Monitoring Requirements:"
 - 1. An observation of stationary vents from emission units in operation shall be conducted at least once during each calendar quarter unless the emission unit is not operating for the entire quarter.
 - 2. For stationary vents from a combustion source, if an alternative to the normally fired fuel is fired for a period greater than or equal to 24 consecutive hours, the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are present. If such period is greater than 3 months, observations shall be conducted once during each quarter. Supplementing the normally fired fuel with natural gas or fuel gas to increase the net heating value to the minimum required value does not constitute creation of an alternative fuel.
 - 3. Records of all observations shall be maintained.
 - 4. Visible emissions observations of emission units operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of emission units operated only at night must be made with additional lighting and the

temporary installation of contrasting backgrounds. Visible emissions observations shall be made during times when the activities described in 30 TAC § 111.111(a)(1)(E) are not taking place. Visible emissions shall be determined with each stationary vent in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from each stationary vent during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.

5. Compliance Certification:

- (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(1) and (a)(1)(A).
- (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(1)(F) to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.
- (c) Some vents may be subject to multiple visible emission or monitoring requirements. All credible

data must be considered when certifying compliance with this requirement even if the observation or monitoring was performed to demonstrate compliance with a different requirement.

- B. For stationary vents with a flow rate of less than 100,000 actual cubic feet per minute and constructed after January 31, 1972 that are not listed in the Applicable Requirements Summary attachment, the permit holder shall comply with the following requirements:
- (i) Title 30 TAC § 111.111(a)(1)(B) (relating to Requirements for Specified Sources)
 - (ii) Title 30 TAC § 111.111(a)(1)(E)
 - (iii) Title 30 TAC § 111.111(a)(1)(F)(i), (ii), (iii), or (iv)
 - (iv) For emission units with vent emissions subject to 30 TAC § 111.111(a)(1)(B), complying with 30 TAC § 111.111(a)(1)(F)(ii), (iii), or (iv), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146. These periodic monitoring requirements do not apply to vents that do not emit visible emissions such as vents that emit only VOC or vents that provide passive ventilation, such as plumbing vents; or vents that are subject to the emission limitation of 30 TAC § 111.111(a)(1)(B) and Compliance Assurance Monitoring, as specified in the attached "Applicable Requirements Summary" and "Additional Monitoring Requirements:"
 - 1. An observation of stationary vents from emission units in operation shall be conducted at least once during each calendar quarter unless the emission unit is not operating for the entire quarter.
 - 2. For stationary vents from a combustion source, if an alternative to the normally fired fuel is fired for a period greater than or equal to 24 consecutive hours, the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are present. If such period is greater than 3 months, observations shall be conducted once during each quarter. Supplementing the normally fired fuel with natural gas or fuel gas to increase the net heating value to the minimum

required value does not constitute creation of an alternative fuel.

3. Records of all observations shall be maintained.
4. Visible emissions observations of emission units operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of emission units operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions observations shall be made during times when the activities described in 30 TAC § 111.111(a)(1)(E) are not taking place. Visible emissions shall be determined with each stationary vent in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from each stationary vent during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
5. Compliance Certification:
 - (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(1) and (a)(1)(B).
 - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(1)(F) to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify

that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

- (c) Some vents may be subject to multiple visible emission or monitoring requirements. All credible data must be considered when certifying compliance with this requirement even if the observation or monitoring was performed to demonstrate compliance with a different requirement.

C. For visible emissions from a building, enclosed facility, or other structure; the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(7)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(7)(B)(i) or (ii)
- (iii) For a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source subject to 30 TAC § 111.111(a)(7)(A), complying with 30 TAC § 111.111(a)(7)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:
 - 1. An observation of visible emissions from a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source which is required to comply with 30 TAC § 111.111(a)(7)(A) shall be conducted at least once during each calendar quarter unless the air emission source or enclosed facility is not operating for the entire quarter.
 - 2. Records of all observations shall be maintained.
 - 3. Visible emissions observations of air emission sources or enclosed facilities operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later

than one hour before sunset. Visible emissions observations of air emission sources or enclosed facilities operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each emissions outlet in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from each emissions outlet during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.

4. Compliance Certification:

- (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(7) and (a)(7)(A).
- (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(7)(B) to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

D. For visible emissions from all other sources not specified in 30 TAC

§ 111.111(a)(1), (4), or (7); the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(8)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(8)(B)(i) or (ii)
- (iii) For a source subject to 30 TAC § 111.111(a)(8)(A), complying with 30 TAC § 111.111(a)(8)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO_x, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:
 - 1. An observation of visible emissions from a source which is required to comply with 30 TAC § 111.111(a)(8)(A) shall be conducted at least once during each calendar quarter unless the source is not operating for the entire quarter.
 - 2. Records of all observations shall be maintained.
 - 3. Visible emissions observations of sources operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of sources operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each source in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from each source during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
 - 4. Compliance Certification:

- (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(8) and (a)(8)(A).
 - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(8)(B) to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.
- E. Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR Part 60, Appendix A) to comply with opacity monitoring requirements shall be accomplished by completing the Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.
- F. For emission units with contributions from uncombined water, the permit holder shall comply with the requirements of 30 TAC § 111.111(b).
- G. Permit holders for sites that have materials handling, construction, roads, streets, alleys, and parking lots shall comply with the following requirements:
 - (i) Title 30 TAC § 111.143 (relating to Materials Handling)
 - (ii) Title 30 TAC § 111.145 (relating to Construction and Demolition)
 - (iii) Title 30 TAC § 111.147 (relating to Roads, Streets, and Alleys)
 - (iv) Title 30 TAC § 111.149 (relating to Parking Lots)
- H. Emission limits on nonagricultural processes, except for the steam generators specified in 30 TAC § 111.153, shall comply with the following

requirements:

- (i) Emissions of PM from any source may not exceed the allowable rates as required in 30 TAC § 111.151(a) (relating to Allowable Emissions Limits)
 - (ii) Sources with an effective stack height (h_e) less than the standard effective stack height (H_e), must reduce the allowable emission level by multiplying it by $[h_e/H_e]^2$ as required in 30 TAC § 111.151(b)
 - (iii) Effective stack height shall be calculated by the equation specified in 30 TAC § 111.151(c)
- I. Outdoor burning, as stated in 30 TAC § 111.201, shall not be authorized unless the following requirements are satisfied:
- (i) Title 30 TAC § 111.205 (relating to Exception for Fire Training)
 - (ii) Title 30 TAC § 111.207 (relating to Exception for Recreation, Ceremony, Cooking, and Warmth)
 - (iii) Title 30 TAC § 111.209 (relating to Exception for Disposal Fires)
 - (iv) Title 30 TAC § 111.211 (relating to Exception for Prescribed Burn)
 - (v) Title 30 TAC § 111.213 (relating to Exception for Hydrocarbon Burning)
 - (vi) Title 30 TAC § 111.219 (relating to General Requirements for Allowable Outdoor Burning)
 - (vii) Title 30 TAC § 111.221 (relating to Responsibility for Consequences of Outdoor Burning)
4. For storage vessels maintaining working pressure as specified in 30 TAC Chapter 115, Subchapter B, Division 1: "Storage of Volatile Organic Compounds," the permit holder shall comply with the requirements of 30 TAC § 115.112(b)(1).
5. Permit holder shall comply with the following 30 TAC Chapter 115, Subchapter C requirements:
- A. When filling gasoline storage vessels with a nominal capacity greater than 1,000 gallons (Stage I) at motor vehicle fuel dispensing facilities, which have dispensed less than 125,000 gallons of gasoline in any calendar

month after January 1, 1999, the permit holder shall comply with the following requirements specified in 30 TAC Chapter 115, Subchapter C:

- (i) Title 30 TAC § 115.222(7) (relating to Control Requirements)
 - (ii) Title 30 TAC § 115.222(3), as it applies to liquid gasoline leaks
 - (iii) Title 30 TAC § 115.224(1) (relating to Inspection Requirements), as it applies to liquid gasoline leaks
 - (iv) Title 30 TAC § 115.226(2)(C) (relating to Recordkeeping Requirements)
6. The permit holder shall comply with certified registrations submitted to the TCEQ for purposes of establishing federally enforceable emission limits. A copy of the certified registration shall be maintained with the permit. Records sufficient to demonstrate compliance with the established limits shall be maintained. The certified registration and records demonstrating compliance shall be provided, on request, to representatives of the appropriate TCEQ regional office and any local air pollution control agency having jurisdiction over the site. The permit holder shall submit updated certified registrations when changes at the site require establishment of new emission limits. If changes result in emissions that do not remain below major source thresholds, the permit holder shall submit a revision application to codify the appropriate requirements in the permit.

Additional Monitoring Requirements

7. The permit holder shall comply with the periodic monitoring requirements as specified in the attached "Periodic Monitoring Summary" upon issuance of the permit. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permit holder shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time specified in the "Periodic Monitoring Summary," for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances to avoid reporting deviations. Deviations shall be reported according to 30 TAC § 122.145 (Reporting Terms and Conditions).

New Source Review Authorization Requirements

8. Permit holder shall comply with the requirements of New Source Review authorizations issued or claimed by the permit holder for the permitted area,

including permits, permits by rule, standard permits, flexible permits, special permits, permits for existing facilities including Voluntary Emissions Reduction Permits and Electric Generating Facility Permits issued under 30 TAC Chapter 116, Subchapter I, or special exemptions referenced in the New Source Review Authorization References attachment. These requirements:

- A. Are incorporated by reference into this permit as applicable requirements
 - B. Shall be located with this operating permit
 - C. Are not eligible for a permit shield
9. The permit holder shall comply with the general requirements of 30 TAC Chapter 106, Subchapter A or the general requirements, if any, in effect at the time of the claim of any PBR.

Compliance Requirements

10. The permit holder shall certify compliance with all permit terms and conditions using, at a minimum, but not limited to, the continuous or intermittent compliance method data from monitoring, recordkeeping, reporting, or testing required by the permit and any other credible evidence or information. The certification period may not exceed 12 months and the certification must be submitted within 30 days after the end of the period being certified.

Protection of Stratospheric Ozone

11. Permit holders at a site subject to Title VI of the FCAA Amendments shall meet the following requirements for protection of stratospheric ozone:
- A. Any on site servicing, maintenance, and repair on refrigeration and nonmotor vehicle air-conditioning appliances using ozone-depleting refrigerants or non-exempt substitutes shall be conducted in accordance with 40 CFR Part 82, Subpart F. Permit holders shall ensure that repairs on or refrigerant removal from refrigeration and nonmotor vehicle air-conditioning appliances using ozone-depleting refrigerants are performed only by properly certified technicians using certified equipment. Records shall be maintained as required by 40 CFR Part 82, Subpart F.

Temporary Fuel Shortages (30 TAC § 112.15)

12. The permit holder shall comply with the following 30 TAC Chapter 112 requirements:

- A. Title 30 TAC § 112.15 (relating to Temporary Fuel Shortage Plan Filing Requirements)
- B. Title 30 TAC § 112.16(a), (a)(1), and (a)(2)(B) - (C) (relating to Temporary Fuel Shortage Plan Operating Requirements)
- C. Title 30 TAC § 112.17 (relating to Temporary Fuel Shortage Plan Notification Procedures)
- D. Title 30 TAC § 112.18 (relating to Temporary Fuel Shortage Plan Reporting Requirements)

Permit Location

- 13. The permit holder shall maintain a copy of this permit and records related to requirements listed in this permit on site.

Permit Shield (30 TAC § 122.148)

- 14. A permit shield is granted for the emission units, groups, or processes specified in the attached "Permit Shield." Compliance with the conditions of the permit shall be deemed compliance with the specified potentially applicable requirements or specified potentially applicable state-only requirements listed in the attachment "Permit Shield." Permit shield provisions shall not be modified by the executive director until notification is provided to the permit holder. No later than 90 days after notification of a change in a determination made by the executive director, the permit holder shall apply for the appropriate permit revision to reflect the new determination. Provisional terms are not eligible for this permit shield. Any term or condition, under a permit shield, shall not be protected by the permit shield if it is replaced by a provisional term or condition or the basis of the term and condition changes.

ATTACHMENTS

Applicable Requirements Summary

Additional Monitoring Requirements

Permit Shield

New Source Review Authorization References

Schedules

APPLICABLE REQUIREMENTS SUMMARY

Unit Summary	16
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Note: A "none" entry may be noted for some emission sources in this permit's "Applicable Requirements Summary" under the heading of "Monitoring and Testing Requirements" and/or "Record keeping Requirements" and/or "Reporting Requirements." Such a notation indicates that there are no requirements for the indicated emission source as identified under the respective column heading(s) for the stated portion of the regulation when the emission source is operating under the conditions of the specified SOP Index Number. However, other relevant requirements pursuant to 30 TAC Chapter 122 including Record keeping Terms and Conditions (30 TAC § 122.144), Reporting Terms and Conditions (30 TAC § 122.145), and Compliance Certification Terms and Conditions (30 TAC § 122.146) continue to apply.

Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
DCSPRKILN	EMISSION POINTS/STATIONAR Y VENTS/PROCESS VENTS	N/A	R1111-1	30 TAC Chapter 111, Visible Emissions	No changing attributes.
GRP001	MISCELLANEOUS UNITS	OX1FIL	63NNNNNN- 1	40 CFR Part 63, Subpart NNNNNN	No changing attributes.
GRP002	MISCELLANEOUS UNITS	ACCEL, AC-FINS, ACMOTLQST, DCSKLNQNT, DCS- TANKS, ELECTKS, OX2FIL	63NNNNNN- 2	40 CFR Part 63, Subpart NNNNNN	No changing attributes.
GRP003	MISCELLANEOUS UNITS	DCSCALC, DCSKILN, OX-PACK	63NNNNNN- 3	40 CFR Part 63, Subpart NNNNNN	No changing attributes.
GRP004	MISCELLANEOUS UNITS	DCSPRKILN	63NNNNNN- 4	40 CFR Part 63, Subpart NNNNNN	No changing attributes.
OXGASST	STORAGE TANKS/VESSELS	N/A	R5112	30 TAC Chapter 115, Storage of VOCs	No changing attributes.

Applicable Requirements Summary

Unit/Group/Process		SOP Index No.	Pollutant	Emission Limitation/Standard or Equipment Specification		Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
ID No.	Type			Name	Citation				
DCSPRKILN	EP	R1111-1	PM (OPACITY)	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(C) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 15% averaged over a six minute period for any source with a total flow rate of at least 100,000 acfm unless a CEMS is installed.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None
GRP001	EP	63NNNNNN-1	PM	40 CFR Part 63, Subpart NNNNNN	§ 63.11409(a) § 63.11409(b) § 63.6(e)(1) § 63.6(f) § 63.6(g) § 63.6(i) § 63.6(j)		§ 63.11410(a) § 63.11410(b) § 63.11410(b)(1) § 63.11410(b)(4) § 63.11410(c) § 63.11410(c)(1) § 63.11410(c)(4) § 63.11410(i) § 63.11410(j) § 63.7(a) § 63.7(e) § 63.7(f) § 63.7(g) § 63.7(h)	§ 63.10(a) § 63.10(b)(1) § 63.10(b)(2)(i) § 63.10(b)(2)(ii) § 63.10(b)(2)(iii) § 63.10(b)(2)(iv) § 63.10(b)(2)(v) § 63.10(b)(2)(xii) § 63.10(b)(2)(xiv) § 63.10(b)(3) § 63.10(f) § 63.11410(a) § 63.11410(b)(1) § 63.11410(d) § 63.11410(d)(1) § 63.11410(d)(3) § 63.11410(d)(4) § 63.7(g)	§ 63.10(d)(1) § 63.10(d)(2) § 63.10(d)(4) § 63.10(d)(5) § 63.10(f) § 63.11410(a) § 63.11410(e) § 63.11410(k) § 63.11411(a) § 63.11411(b)(1) § 63.11411(b)(2) § 63.11411(b)(3) § 63.11411(b)(4) § 63.11411(b)(5) § 63.11411(b)(8) § 63.6(e)(3) § 63.7(b) § 63.7(c) § 63.7(g) § 63.7(h) § 63.9(a) § 63.9(b)(1) § 63.9(b)(2) § 63.9(c)

									§ 63.9(e) § 63.9(h)(1) § 63.9(h)(2) § 63.9(h)(3) § 63.9(h)(6) § 63.9(i) § 63.9(j)
GRP002	EP	63NNNNNN-2	PM	40 CFR Part 63, Subpart NNNNNN	§ 63.11409(a) § 63.11409(b) § 63.6(e)(1) § 63.6(f) § 63.6(g) § 63.6(i) § 63.6(j)		§ 63.11410(a) § 63.11410(b) § 63.11410(b)(4) § 63.11410(c) § 63.11410(c)(4) § 63.11410(i) § 63.11410(j) § 63.7(a) § 63.7(e) § 63.7(f) § 63.7(g) § 63.7(h)	§ 63.10(a) § 63.10(b)(1) § 63.10(b)(2)(i) § 63.10(b)(2)(ii) § 63.10(b)(2)(iii) § 63.10(b)(2)(iv) § 63.10(b)(2)(v) § 63.10(b)(2)(xii) § 63.10(b)(2)(xiv) § 63.10(b)(3) § 63.10(f) § 63.11410(a) § 63.11410(d) § 63.11410(d)(3) § 63.11410(d)(4) § 63.7(g)	§ 63.10(d)(1) § 63.10(d)(2) § 63.10(d)(4) § 63.10(d)(5) § 63.10(f) § 63.11410(a) § 63.11410(e) § 63.11410(k) § 63.11411(a) § 63.11411(b)(1) § 63.11411(b)(2) § 63.11411(b)(3) § 63.11411(b)(4) § 63.11411(b)(5) § 63.11411(b)(8) § 63.6(e)(3) § 63.7(b) § 63.7(c) § 63.7(g) § 63.7(h) § 63.9(a) § 63.9(b)(1) § 63.9(b)(2) § 63.9(c) § 63.9(e) § 63.9(h)(1) § 63.9(h)(2) § 63.9(h)(3) § 63.9(h)(6)

									§ 63.9(i) § 63.9(j)
GRP003	EP	63NNNNNN-3	PM	40 CFR Part 63, Subpart NNNNNN	§ 63.11409(a) § 63.11409(b) § 63.6(e)(1) § 63.6(f) § 63.6(g) § 63.6(i) § 63.6(j)		§ 63.11410(a) § 63.11410(b) § 63.11410(b)(1) § 63.11410(c) § 63.11410(c)(1) § 63.11410(i) § 63.11410(j) § 63.7(a) § 63.7(e) § 63.7(f) § 63.7(g) § 63.7(h)	§ 63.10(a) § 63.10(b)(1) § 63.10(b)(2)(i) § 63.10(b)(2)(ii) § 63.10(b)(2)(iii) § 63.10(b)(2)(iv) § 63.10(b)(2)(v) § 63.10(b)(2)(xii) § 63.10(b)(2)(xiv) § 63.10(b)(3) § 63.10(f) § 63.11410(a) § 63.11410(b)(1) § 63.11410(d) § 63.11410(d)(1) § 63.11410(d)(4) § 63.7(g)	§ 63.10(d)(1) § 63.10(d)(2) § 63.10(d)(4) § 63.10(d)(5) § 63.10(f) § 63.11410(a) § 63.11410(e) § 63.11410(k) § 63.11411(a) § 63.11411(b)(1) § 63.11411(b)(2) § 63.11411(b)(3) § 63.11411(b)(4) § 63.11411(b)(5) § 63.11411(b)(8) § 63.6(e)(3) § 63.7(b) § 63.7(c) § 63.7(g) § 63.7(h) § 63.9(a) § 63.9(b)(1) § 63.9(b)(2) § 63.9(c) § 63.9(e) § 63.9(h)(1) § 63.9(h)(2) § 63.9(h)(3) § 63.9(h)(6) § 63.9(i) § 63.9(j)
GRP004	EP	63NNNNNN-4	PM	40 CFR Part 63, Subpart NNNNNN	§ 63.11409(a) § 63.11409(b) § 63.6(e)(1)		§ 63.11410(a) § 63.11410(b) § 63.11410(b)(1)	§ 63.10(a) § 63.10(b)(1) § 63.10(b)(2)(i)	§ 63.10(d)(1) § 63.10(d)(2) § 63.10(d)(4)

					§ 63.6(f) § 63.6(g) § 63.6(i) § 63.6(j)		§ 63.11410(b)(3) § 63.11410(b)(4) § 63.11410(b)(4)(ii) § 63.11410(c) § 63.11410(c)(1) § 63.11410(c)(3) § 63.11410(c)(4)(i) § 63.11410(c)(4)(ii) § 63.11410(i) § 63.11410(j) § 63.7(a) § 63.7(e) § 63.7(f) § 63.7(g) § 63.7(h)	§ 63.10(b)(2)(ii) § 63.10(b)(2)(iii) § 63.10(b)(2)(iv) § 63.10(b)(2)(v) § 63.10(b)(2)(xii) § 63.10(b)(2)(xiv) § 63.10(b)(3) § 63.10(f) § 63.11410(a) § 63.11410(b)(1) § 63.11410(d) § 63.11410(d)(1) § 63.11410(d)(2) § 63.11410(d)(3) § 63.11410(d)(4) § 63.7(g)	§ 63.10(d)(5) § 63.10(f) § 63.11410(a) § 63.11410(e) § 63.11410(k) § 63.11411(a) § 63.11411(b)(1) § 63.11411(b)(2) § 63.11411(b)(3) § 63.11411(b)(4) § 63.11411(b)(5) § 63.11411(b)(8) § 63.6(e)(3) § 63.7(b) § 63.7(c) § 63.7(g) § 63.7(h) § 63.9(a) § 63.9(b)(1) § 63.9(b)(2) § 63.9(c) § 63.9(h)(1) § 63.9(h)(2) § 63.9(h)(3) § 63.9(h)(6) § 63.9(i) § 63.9(j)
OXGASST	EU	R5112	VOC	30 TAC Chapter 115, Storage of VOCs	§ 115.112(b)(1)	Tanks shall not store VOC unless the required pressure is maintained, or they are equipped with the appropriate control device specified in Table I(a) or Table II(a).	[G]§ 115.115(b) § 115.116(b)(4) § 115.116(b)(5) ** See Periodic Monitoring Summary	§ 115.116(b)(4) § 115.116(b)(5)	None

ADDITIONAL MONITORING REQUIREMENTS

Periodic Monitoring Summary

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Periodic Monitoring Summary

UNIT/GROUP/PROCESS INFORMATION	
ID No.: CSPRKILN	Applicable Form: OP-UA15
Control Device ID No.: N/A	Control Device Type: N/A
APPLICABLE REGULATORY REQUIREMENT	
Name: 30 TAC Chapter 111, Visible Emissions	SOP Index No.: R1111-1
Pollutant: PM (OPACITY)	Main Standard: § 111.111(a)(1)(C)
MONITORING INFORMATION	
Indicator: Visible Emissions	
Minimum Frequency: Once per Week	
Averaging Period: n/a	
Deviation Limit: Visible Emissions	
Periodic Monitoring Text: If visible emissions are observed, perform a Test Method 9 observation to verify opacity is less than 15% averaged over a 6-minute period. Only deviate from frequency if the EU is not operating continuously.	

Periodic Monitoring Summary

UNIT/GROUP/PROCESS INFORMATION	
ID No.: OXGASST	Applicable Form: OP-UA03
Control Device ID No.: N/A	Control Device Type: N/A
APPLICABLE REGULATORY REQUIREMENT	
Name: 30 TAC Chapter 115, Storage of VOCs	SOP Index No.: R5112
Pollutant: VOC	Main Standard: § 115.112(b)(1)
MONITORING INFORMATION	
Indicator: Record of Tank Construction Specifications	
Minimum Frequency: n/a	
Averaging Period: n/a	
Deviation Limit: Absence of proper record showing correct construction specifications	
<p>Periodic Monitoring Text: Keep a record of tank construction specifications (e.g. engineering drawings) that show a fill pipe that extends from the top of a tank to have a maximum clearance of six inches (15.2 centimeters) from the bottom or, when the tank is loaded from the side, a discharge opening entirely submerged when the pipe used to withdraw liquid from the tank can no longer withdraw liquid in normal operation.</p>	

PERMIT SHIELD

Permit Shield

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Permit Shield

The TCEQ Executive Director has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process in this table.

Unit/Group/Process		Regulation	Basis of Determination
ID No.	Group/Inclusive Units		
PHBOIL 7	N/A	40 CFR Part 60, Subpart D	Boiler has combustion heat input capacity less than 250 MMBtu/hr
PHBOIL 7	N/A	40 CFR Part 60, Subpart Db	Boiler was originally constructed before June 19, 1984
PHBOIL3	N/A	40 CFR Part 60, Subpart D	Boiler has combustion heat input capacity less than 250 MMBtu/hr
PHBOIL3	N/A	40 CFR Part 60, Subpart Db	Boiler was originally constructed before June 19, 1984
OXDFST2	N/A	30 TAC Chapter 115, Storage of VOCs	Exempt when the contents have a vapor pressure less than 1.5 psia at an actual storage conditions.
OXDFST2	N/A	40 CFR Part 60, Subpart K	Tank with storage capacity less than 40,000 gallons
OXGASST	N/A	30 TAC Chapter 115, Storage of VOCs	Tank with storage capacity less than 25,000 gallons and located at a motor vehicle fuel dispensing facility
OXGASST	N/A	40 CFR Part 60, Subpart K	Tank with storage capacity less than 40,000 gallons

NEW SOURCE REVIEW AUTHORIZATION REFERENCES

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New Source Review Authorization References

The New Source Review authorizations listed in the table below are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

PSD Permits	NA Permits
PSD Permit No.:	NA Permit No.:
Title 30 TAC Chapter 116 Permits, Special Permits, and Other Authorizations (Other Than Permits By Rule, PSD Permits, or NA Permits) for the Application Area.	
Authorization No.: 7736	Authorization No.: 9212
Authorization No.: 9804	Authorization No.:
Authorization No.:	Authorization No.:
Authorization No.:	Authorization No.:
Permits By Rule (30 TAC Chapter 106) for the Application Area	
Number: 106.262	Version No./Date: 03/14/1997
Number: 106.262	Version No./Date: 07/08/1998
Number: 106.264	Version No./Date: 09/04/2000
Number: 106.472	Version No./Date: 09/04/2000
Number: 106.512	Version No./Date: 06/13/2001
Number:	Version No./Date:
Number:	Version No./Date:
Municipal Solid Waste and Industrial Hazardous Waste Permits With an Air Addendum	
Permit No.:	Permit No.:
Permit No.:	Permit No.:
Permit No.:	Permit No.:
Permit No.:	Permit No.:

New Source Review Authorization References by Emissions Unit

The following is a list of New Source Review (NSR) authorizations for emission units listed elsewhere in this operating permit. The NSR authorizations are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Unit/Group/Process ID No.	Emission Unit Name/Description	New Source Review Authorization
ACCEL	HYDROGEN SCRUBBER STACK (EPN 301)	9212
AC-FINS	PRODUCT AREA DRYER STACK (EPN 303)	9212
ACMOTLQST	OXYGEN SCRUBBER STACK (EPN 302)	9212
DCSCALC	RAW MATERIALS BAGHOUSE STACK (EPN 16)	9804
DCSKILN	SECONDARY KILN STACK (EPN 41)	9804
DCSKLNQNT	LEACH SCRUBBER STACK (EPN 42)	9804
DCSPRKILN	PRIMARY KILN STACK (EPN 18)	9804
DCS-TANKS	MIXER SCRUBBER STACK (EPN 15)	9804
ELECTKS	ELECTROLYTIC STACK (EPN 17)	9804
OX1FIL	PLANT STACK (EPN 210)	7736
OX2FIL	FILTER VENT (EPN 211)	7736
OXDFST2	OVERHEAD DIESEL STORAGE TANK #2	7736
OXGASST	OVERHEAD GASOLINE STORAGE TANK	7736
OX-PACK	PACKING/DRYER STACK (EPN 214)	7736
PHBOIL 7	#7 BOILER	106.264/09/04/2000
PHBOIL3	#3 BOILER	7736

APPENDIX A

Acronym List

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ACRONYM LIST

The following abbreviations or acronyms may be used in this permit:

ACFM	actual cubic feet per minute
AMOC	alternate means of control
ARP	Acid Rain Program
ASTM	American Society of Testing and Materials
B/PA	Beaumont/Port Arthur (nonattainment area)
CAM	Compliance Assurance Monitoring
CD	control device
COMS	continuous opacity monitoring system
CVS	closed-vent system
D/FW	Dallas/Fort Worth (nonattainment area)
DR	Designated Representative
EIP	El Paso (nonattainment area)
EP	emission point
EPA	U.S. Environmental Protection Agency
EU	emission unit
FCAA Amendments	Federal Clean Air Act Amendments
FOP	federal operating permit
GF	grandfathered
gr/100 scf	grains per 100 standard cubic feet
HAP	hazardous air pollutant
H/G	Houston/Galveston (nonattainment area)
H ₂ S	hydrogen sulfide
ID No.	identification number
lb/hr	pound(s) per hour
MMBtu/hr	Million British thermal units per hour
MRRT	monitoring, recordkeeping, reporting, and testing
NA	nonattainment
N/A	not applicable
NADB	National Allowance Data Base
NO _x	nitrogen oxides
NSPS	New Source Performance Standard (40 CFR Part 60)
NSR	New Source Review
ORIS	Office of Regulatory Information Systems
Pb	lead
PBR	Permit By Rule
PM	particulate matter
ppmv	parts per million by volume
PSD	prevention of significant deterioration
RO	Responsible Official
SO ₂	sulfur dioxide
TSP	total suspended particulate
TVP	true vapor pressure
U.S.C.	United States Code
VOC	volatile organic compound