

Mr. R. Carter Simonds
President
Lead Products Company, Inc.
P.O. Box 1341
Houston, Texas 77251-1341

Re: Permit Requirement
Houston, Harris County

Dear Mr. Simonds:

This is in response to your letter dated July 18, 2003 concerning the Standard Industrial Code (SIC) applicability for your grandfathered facility located in Houston, Harris County, Texas. We understand that you are currently classified as SIC Number 3341, Secondary Lead Smelter. After discussions with Mr. Paul Henry of the Industrial Emissions Assessment Section, we believe that you fall under SIC Number 3356 because this describes your business more accurately.

However, under Title 40 Code of Federal Regulations Part 63, Subpart X - National Emission Standards for Hazardous Air Pollutants from Secondary Lead Smelters, the definition of secondary lead smelter is "any facility at which lead-bearing scrap material, primarily, but not limited to, lead-acid batteries, is recycled into elemental lead or lead alloys by smelting." You must review the requirements of this standard to determine if you are subject to it, regardless of the SIC category of your business.

We also understand that you are preparing some type of air authorization application for this grandfathered facility that will be submitted before August 31, 2003. You are reminded that regardless of whether a construction permit is required, this facility must be in compliance with all air quality rules and regulations of the Texas Commission on Environmental Quality at all times.

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Your cooperation in this matter is appreciated. If you need further information or have any questions, please contact Mr. Skip Clark at (512) 239-1274 or write to the Texas Commission on Environmental Quality, Office of Permitting, Remediation, and Registration, Air Permits Division (MC-162), P.O. Box 13087, Austin, Texas 78711-3087.

Sincerely,

James B. Randall, P.E., Manager
Mechanical, Agriculture, Coatings, Combustion, NSR Section
Air Permits Division
Texas Commission on Environmental Quality

JBR/LSC/pll

cc: Mr. Arturo Blanco, Bureau Chief, Bureau of Air Quality Control, Health and Human Services
Department, City of Houston, Houston
Mr. Rob Barrett, Director, Harris County Public Health and Environmental Services, Pollution Control Department, Pasadena
Ms. Karen Atkinson, Air Section Manager, Region 12 - Houston

Project Number: 99632

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AIR PERMITS DIVISION MC-162

MR R CARTER SIMONDS
PRESIDENT
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