

# **STATE OF MISSISSIPPI AIR POLLUTION CONTROL PERMIT**

**AND PREVENTION OF SIGNIFICANT  
DETERIORATION AUTHORITY  
TO CONSTRUCT AIR EMISSIONS EQUIPMENT  
THIS CERTIFIES THAT**

Dart Container Corporation LLC  
197 Harris Avenue  
Quitman, Mississippi  
Clarke County

has been granted permission to construct air emissions equipment to comply with emission limitations, monitoring requirements and other conditions set forth herein. This permit is issued in accordance with the provisions of the Mississippi Air and Water Pollution Control Law (Section 49-17-1 et. seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder and under authority granted by the Environmental Protection Agency under 40 CFR 52.01 and 52.21.

**MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD**



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**AUTHORIZED SIGNATURE**

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**

Issued: January 31, 2007

Modified: MAR 23 2011

Permit No.: 0440-00053

**Part I**

**A. GENERAL CONDITIONS**

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

The permittee may furnish such records directly to the Administrator along with a claim of confidentiality. (Ref.: APC-S-2, Section II.B.15(d))

10. Design and Construction Requirements: The stationary source shall be designed and constructed so as to operate without causing a violation of an Applicable Rules and Regulations, without interfering with the attainment and maintenance of State and National Ambient Air Quality Standards, and such that the emission of air toxics does not result in an ambient concentration sufficient to adversely affect human health and well-being or unreasonably and adversely affect plant or animal life beyond the stationary source boundaries. (Ref.: APC-S-2, Section V.A)
11. Solids Removal: The necessary facilities shall be constructed so that solids removed in the course of control of air emissions may be disposed of in a manner such as to prevent the solids from becoming windborne and to prevent the materials from entering State waters without the proper environmental permits. (Ref.: Miss. Code Ann. 49-17-29)
12. Diversion and Bypass of Air Pollution Controls: The air pollution control facilities shall be constructed such that diversion from or bypass of collection and control facilities is not needed except as provided for in Regulation APC-S-1, "Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants", Section 10. (Ref.: APC-S-1, Section 10)
13. Fugitive Dust Emissions from Construction Activities: The construction of the stationary source shall be performed in such a manner so as to reduce fugitive dust emissions from construction activities to a minimum. (Ref.: APC-S-2, Section V.A.4)
14. Right of Entry: The permittee shall allow the Mississippi Department of Environmental Quality Office of Pollution Control and the Mississippi Environmental Quality Permit Board and/or their representatives upon presentation of credentials:
  - a) To enter upon the permittee's premises where an air emission source is located or in which any records are required to be kept under the terms and conditions of this permit; and
  - b) At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any air emissions. (Ref.: Miss. Code Ann. 49-17-21)
15. Permit Modification or Revocation: After notice and opportunity for a hearing, the Permit Board may modify the permit or revoke it in whole or in part for good cause shown including, but not limited to:
  - a) Persistent violation of any of the terms or conditions of this permit;

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

(Ref.: APC-S-2, Section II.C)

16. Public Record and Confidential Information: Except for data determined to be confidential under the Mississippi Air & Water Pollution Control Law, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Mississippi Department of Environmental Quality, Office of Pollution Control. (Ref.: Miss. Code Ann. 49-17-39)
17. Permit Transfer: This permit shall not be transferred except upon approval of the Permit Board. (Ref.: APC-S-2, Section XVI.B)
18. Severability: The provisions of this permit are severable. If any provision of the permit, or the application of any provision of the permit to any circumstances, is challenged or held invalid, the validity of the remaining permit provisions and/or portions thereof or their application to other persons or sets of circumstances, shall not be affected thereby. (Ref. APC-S-2, Section I.D.7)
19. Permit Expiration: The permit to construct will expire if construction does not begin within eighteen (18) months from the date of issuance or if construction is suspended for eighteen (18) months or more. (Ref.: APC-S-2, Section V.C.1)
20. Certification of Construction: A new stationary source issued a Permit to Construct cannot begin operation until certification of construction by the permittee. (Ref.: APC-S-2, Section V.D.3)
21. Beginning Operation: Except as prohibited in Part I, Condition 24 of this permit, after certification of construction by the permittee, the Permit to Construct shall be deemed to satisfy the requirement for a permit to operate until the date the application for issuance or modification of the Title V Permit or the application for issuance or modification of the State Permit to Operate, whichever is applicable, is due. This provision is not applicable to a source excluded from the requirement for a permit to operate as provided by APC-S-2, Section XIII.G. (Ref.: APC-S-2, Section V.D.4)
22. Application for a Permit to Operate: Except as otherwise specified in Part I, Condition 24 of this permit, the application for issuance or modification of the State Permit to Operate or the Title V Permit, whichever is applicable, is due twelve (12) months after beginning operation or such earlier date or time as specified in the Permit to Construct. The Permit Board may specify an earlier date or time for submittal of the application. Beginning operation will be assumed to occur upon

certification of construction, unless the permittee specifies differently in writing. (Ref.: APC-S-2, Section V.D.5)

23. Operating Under a Permit to Construct: Except as otherwise specified in Part I, Condition 24 of this permit, upon submittal of a timely and complete application for issuance or modification of a State Permit to Operate or a Title V Permit, whichever is applicable, the applicant may continue to operate under the terms and conditions of the Permit to Construct and in compliance with the submitted application until the Permit Board issues, modifies, or denies the Permit to Operate. (Ref.: APC-S-2, Section V.D.6)
24. Application Requirements for a Permit to Operate for Moderate Modifications: For moderate modifications that require contemporaneous enforceable emissions reductions from more than one emission point in order to “net” out of PSD/NSR, the applicable Title V Permit to Operate or State Permit to Operate must be modified prior to beginning operation of the modified facilities. (Ref.: APC-S-2, Section V.D.7)
25. Compliance Testing: Regarding compliance testing:
- a) The results of any emissions sampling and analysis shall be expressed both in units consistent with the standards set forth in any Applicable Rules and Regulations or this permit and in units of mass per time.
  - b) Compliance testing will be performed at the expense of the permittee.
  - c) Each emission sampling and analysis report shall include but not be limited to the following:
    - (1) detailed description of testing procedures;
    - (2) sample calculation(s);
    - (3) results; and
    - (4) comparison of results to all Applicable Rules and Regulations and to emission limitations in the permit.

(Ref.: APC-S-2, Section VI.B.3, 4, and 6)

## **B. GENERAL NOTIFICATION REQUIREMENTS**

1. Within fifteen (15) days of beginning actual construction, the permittee must notify DEQ in writing that construction has begun. (Ref.: APC-S-2, Section V.C.2)

2. The permittee must notify DEQ in writing when construction does not begin within eighteen (18) months of issuance or if construction is suspended for eighteen (18) months or more. (Ref.: APC-S-2, Section V.C.3)
3. Upon the completion of construction or installation of an approved stationary source or modification, the applicant shall notify the Permit Board that construction or installation was performed in accordance with the approved plans and specifications on file with the Permit Board. (Ref.: APC-S-2, Section V.D.1)
4. The Permit Board shall be promptly notified in writing of any change in construction from the previously approved plans and specifications or permit. If the Permit Board determines the changes are substantial, it may require the submission of a new application to construct with “as built” plans and specifications. Notwithstanding any provision herein to the contrary, the acceptance of an “as built” application shall not constitute a waiver of the right to seek compliance penalties pursuant to State Law. (Ref.: APC-S-2, Section V.D.2)

**Part II.**  
**EMISSION LIMITATIONS AND MONITORING REQUIREMENTS**

Beginning upon permit issuance, the permittee is authorized to construct air emissions equipment and emit air contaminants from the Expandable Polystyrene (EPS) Foam Container manufacturing process.

The air emissions equipment shall be constructed in accordance with design criteria in the application, plans, and other technical documents submitted with the application to construct, including the application of Best Available Control Technology (BACT). BACT has been determined to be the existing pre-expander emissions reduction system, with the addition of a blender and holding tank capture, using the boilers as destruction devices.

**EMISSIONS LIMITATIONS<sup>1</sup>**

Volatile Organic Compounds	495 tons/yr by the procedures described in the compliance demonstration
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<sup>1</sup> This limit is a limit on facility-wide emissions of VOC, based on a 12-month rolling total.

**COMPLIANCE DEMONSTRATION**

The permittee shall demonstrate compliance with the VOC emission limitations by maintaining monthly records for each solvent, ink, and other VOC or HAP containing material used. The permittee may utilize data supplied by the manufacturer, or analysis of VOC content by EPA Test Method 24, 40 CFR 60, Appendix A. These records, along with the information collected in accordance to the Compliance Assurance Monitoring Plan (CAM) Plan shall be used to determine VOC and HAP emissions on a monthly basis and a 12-month rolling total.

The permittee shall demonstrate compliance with the VOC emission limitations on a monthly and 12-month rolling total by using the monitored VOC concentration and capture air flow rate to determine emissions by the following (or equivalent) equation:

VOC Emissions = [Monthly total pentane content in raw material – (EPS Throughput \* 1.38%)] – [(VOC Captured) \* (Destruction Efficiency)]

Where 1.38% is the average pentane content left in the cup as determined by engineering test data.

The total pentane content shall be determined for each shipment using the manufacturer supplied % pentane content in the EPS beads multiplied by the weight of the shipment. The average pentane content in the raw material may be used provided that it is a weighted average based on the total pentane content.

**REPORTING REQUIREMENTS**

The permittee shall submit summary reports to demonstrate compliance with the VOC emission limitation in accordance with Part III, Condition 3.



**Part II (Continued)**

**EMISSION LIMITATIONS AND MONITORING REQUIREMENTS**

Beginning upon permit issuance, the permittee is authorized to construct air emissions equipment and emit air contaminants from AA-004, the pre-expansion area of the cup manufacturing process.

The air emissions equipment shall be constructed in accordance with design criteria in the application, plans, and other technical documents submitted with the application to construct, including the application of Best Available Control Technology (BACT). BACT has been determined to be the existing pre-expander emissions reduction system, with the addition of a blender and holding tank capture, using the boilers as destruction devices.

**OPERATIONAL RESTRICTION**

The existing boilers, emission points AA-001, AA-002, and AA-003, shall be used as destruction devices for the captured pre-expander emissions. At all times when the pre-expansion process is operating, the permittee shall capture and route pre-expander emissions from emission point AA-004 to emission points AA-001, AA-002, and AA-003, for oxidation of pentane emissions. (BACT Requirement)

**DESTRUCTION EFFICIENCY**

The boilers shall maintain a minimum destruction efficiency of 95% when used as control devices for pentane (VOC) emissions from emission point AA-004. (BACT Requirement)

**MONITORING REQUIREMENTS**

The permittee shall continuously monitor the VOC concentration to determine capture rates. Records shall be kept on a chart recorder and made available for review upon request.

The permittee shall continuously monitor the combined capture air flow rate. Records shall be kept on a chart recorder and made available for review upon request.

The permittee shall perform daily observations to verify combustion and/or the presence of a flame. The permittee shall perform annual burner inspections. The permittee shall also perform semi-annual combustion checks to determine optimum Oxygen and CO levels. Maintenance shall be performed as necessary to maintain proper operations of the pollution control equipment. Records of daily observations, including maintenance records, shall be kept and made available for review upon request.

**RECORDKEEPING REQUIREMENTS**

The permittee shall submit reports demonstrating compliance with the BACT requirements in accordance with Part III, Condition 3.

**Part III.**  
**OTHER REQUIREMENTS**

1. Except as otherwise specified herein, the permittee shall maintain on-site records of all required monitoring data and support information required by this permit for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. These records shall be made available for review upon request by DEQ personnel.
2. The permittee shall report any deviations from the permit requirements, including deviations attributable to upsets, within five (5) working days of such deviation. The reports shall also include the cause of the deviation(s) and any corrective actions or preventive measures taken. A copy of the report shall be maintained in accordance with Part III, Condition 1.
3. Except as otherwise specified herein, the permittee shall submit semiannual reports of the information required to be reported per Part II of this permit. The reports shall be submitted by July 31 and January 31 for the preceding six-month period with all instances of deviations from the permit requirements clearly identified.
4. For each emission point, any monitoring, recordkeeping, and reporting required in this permit shall become effective upon certification of construction of the emission point, as required in Part I.B, Condition 3.
5. For each emission point, the permittee shall perform regular inspections and maintenance as needed each month or more often to maintain proper operation of the equipment. Equipment, including all pollution control devices, shall be operated and maintained in accordance with manufacturer's specifications or standard operating procedures. Records of these inspections and any maintenance shall be kept in log form.
6. For each emission unit with a pollution control device (e.g. fabric filter, cyclone, etc.), the permittee shall operate the control device at all times when the emission unit is operating unless otherwise specified in this permit.
7. The permittee shall not cause, allow, or permit the discharge into the ambient air from any point source or emissions, smoke or any air contaminant of such opacity as to obscure an observer's view to a degree in excess of 40% opacity. This shall not apply to vision obscuration caused by uncombined water droplets. Exceptions are provided in APC-S-1, Section 3.1(a) and (b).
8. The permittee shall develop and implement a written startup, shutdown, and malfunction plan that describes procedures for operating and maintaining the emission units and pollution control devices during periods of startup, shutdown, and malfunction. The startup, shutdown, and malfunction plan may be a separate

document or may be part of the facility's standard operating procedures. Nothing in this condition is intended to limit the applicability of the state regulations contained in APC-S-1, Section 10, "Provisions for Upsets, Startups, and Shutdowns".

9. The permittee shall submit a report to the DEQ if the annual emissions, in tons per year, from the project covered by this permit, exceed the baseline actual emissions (as documented in the project application), by a significant amount for SO<sub>2</sub>, and if such emissions differ from the preconstruction projection as documented and maintained in the application. Such report shall be submitted to the DEQ within 60 days after the end of such year. The report shall contain the following:
  - (a) The name, address, and telephone number of the major stationary source;
  - (b) The annual emissions as calculated pursuant to §52.21(r)(6)(iii); and
  - (c) Any other information that the owner or operator wishes to include in the report (e.g., an explanation as to why the emissions differ from the preconstruction projection).(Ref.: 40 CFR 52.21(r)(6)(v))
10. The permittee shall make the information required to be documented and maintained pursuant to §52.21(r)(6) available for review upon a request for inspection by DEQ or the general public pursuant to the requirements contained in §70.4(b)(3)(viii) of this chapter. (Ref.: 40 CFR 52.21(r)(7))