GENERAL CONDITIONS

Permit Number 20345

1. RETENTION OF PERMIT - A copy of this permit shall be kept at the plant site and made available at the request of the Texas Commission on Environmental Quality (TCEQ) or the El Paso City-County Health and Environmental District.

2. CIRCUMVENTION - The permit holder will not use any plan, activity, device, or contrivance that will, without resulting in an actual reduction of air contaminants, conceal or appear to minimize the effects of an emission which would otherwise constitute a violation of the Texas Clean Air Act (TCAA), the TCEQ rules, or this permit.

3. INCORPORATED RULES - Any reference in this permit to rules shall be construed as referring to the rule(s) as adopted on the date of permit issuance.

4. RESPONSIBLE AGENCIES - Any reference in this permit to the TCEQ, the EPA, and the El Paso City-County Health and Environmental District shall include any legal successors to these agencies.

5. UNITS AND ABBREVIATIONS - Units and abbreviations referenced in this permit have the following meanings:

   CFR: Code of Federal Regulations. The number preceding any reference to "CFR" represents the volume and the succeeding number to the part or section. Thus, "40 CFR Part 61" is Volume 40, Part 61 of the Code of Federal Regulations.

   EPA: The U.S. Environmental Protection Agency

   TCEQ: The Texas Commission on Environmental Quality

   TCAA: The Texas Clean Air Act, Texas Health and Safety Code §§ 382.001 through 382.115

   COMS: continuous opacity monitoring system

   CEMS: continuous emissions monitoring system

   ESP: electrostatic precipitator

   acf: actual cubic feet

   Btu: British thermal units

   dscf: dry standard cubic foot

gpm:	gallons per minute
gr:	grains
hr:	hours
kg:	kilograms
lb:	pounds
mg:	milligrams
mph:	miles per hour
ppmv:	parts per million by volume
scfm:	standard cubic feet per minute
wk:	week
yr:	year
NO_x:	oxides of nitrogen
SO_2:	sulfur dioxide
H_2S:	hydrogen sulfide
H_2SO_4:	sulfuric acid
PM:	particulate matter, suspended in the atmosphere, including PM_{10}
PM_{10}:	particulate matter equal to or less than 10 microns in diameter. Where PM is not listed, it shall be assumed that no particulate matter greater than 10 microns is emitted.

Dated_____

SPECIAL CONDITIONS

Permit Number 20345

EMISSION LIMITATIONS

1. This permit covers only those sources of emissions listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates," and those sources are limited to the emission limits and other conditions specified in that attached table.

EMISSION STANDARDS

2. As represented by the applicant, the outlet grain-loading from the following control devices will not exceed 0.01 gr/dscf:

   A. The fluid bed dryer baghouse;
   B. The reactor feed distribution system baghouse;
   C. The spray dryer baghouse;
   D. The lime storage silo baghouse;
   E. The dry concentrate storage bin bag filters; and
   F. The delumper baghouse.

3. The outlet grain-loading from the converter building ventilation baghouse and the converter pugmill baghouse will not exceed 0.02 gr/dscf.

4. The Company has represented that the in-flue concentrations will not exceed the following limits:

   A. In the stack serving the acid plants:

      (1) 500 ppmv SO_2, six-hour block average of one-hour concentrations;
      (2) 960 ppmv SO_2, one-hour block average; and
      (3) 0.2 mg of H_2SO_4/acf.

   B. In the flue leading from the converter building ventilation baghouse to the 828-foot main stack annulus: 255 ppmv SO_2, one-hour average.

   C. In the flue leading from the fluid bed concentrate dryer to the 828-foot main stack annulus: 10 ppmv SO_2, one-hour average.

   D. In the flue leading from the ConTop Reactor/Furnace to the center of the 828-foot main stack during holding fire operations: 50 ppmv SO_2, one-hour average.

OPACITY LIMITS

5. There will be no visible emissions from any outdoor material conveyor belt transfer point downstream of the bedding building, except during those periods described in Title 30 Texas Administrative Code §§ 101.201 and 101.211 (30 TAC §§ 101.201 and 101.211. **(2/99)**

6. Opacity of emissions from the lime silo baghouse, the delumper baghouse, the spray dryer baghouse, the wastewater treatment plant boiler, the acid plant preheaters, any openings in the converter building, and the two power boilers will not exceed 5 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211. **(2/99)**

7. Opacity of emissions in the flue leading from the fluid bed concentrate dryer to the 828-foot main stack annulus will not exceed 10 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211.

8. Opacity of emissions from the acid plants stack and in the flue leading from the converter building ventilation baghouse to the 828-foot main stack annulus will not exceed 15 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211.

9. Opacity of emissions from ConTop holding furnace slag pouring operations shall not exceed 20 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211.

10. Opacity of emission from the matte pouring and reclaim activities shall not exceed 30 percent average over a six-minute period.

DETERMINATION OF COMPLIANCE

11. At the request of the TCEQ, the holder of this permit shall perform stack sampling and other testing as required below to establish the actual pattern and quantities of air contaminants being emitted into the atmosphere as follows:

    A. The following test methods shall be used at such time as the TCEQ requests testing for the air contaminants indicated below with results evaluated in accordance with 40 CFR Part 60.8(f):

(1) Any required observations of visible emissions shall be conducted using the EPA Reference Method (RM) 9. Any contributions from uncombined water shall not be included for comparison with applicable limits on opacity.

(2) Any required measurements of PM (grain loading) shall be conducted using the EPA RM 5, 40 CFR Part 60, Appendix A.

(3) Any required measurements of PM_{10} emissions shall be conducted using the EPA RM 201 or 201A, 40 CFR Part 51, Appendix M.

(4) Any required measurements of the SO_2 concentration (1) in the flue leading from the converter building ventilation baghouse to the 828-foot main stack annulus, (2) in the flue leading from the fluid bed concentrate dryer to the 828-foot main stack annulus, and (3) in the flue leading from the ConTop reactor/furnace to the center of the 828-foot main stack during holding fire shall be conducted using the EPA RM 6.

B. The TCEQ Regional Office shall be contacted in writing as soon as any required testing is scheduled, but not less than 45 days prior to sampling, to schedule a pretest meeting.

The notice shall include:

(1) Date for pretest meeting;
(2) Date sampling will occur;
(3) Name of firm conducting sampling;
(4) Type of sampling equipment to be used; and
(5) Method or procedure to be used in sampling.

The purpose of the pretest meeting is to review the necessary sampling and testing procedures, to provide the proper data forms for recording pertinent data, and to review the format procedures for submitting the test reports.

A written description of any proposed deviation from sampling procedures specified in this permit or applicable TCEQ or EPA sampling protocols shall be made available to the TCEQ prior to the pretest meeting. Requests to waive testing for any pollutant specified in this special condition shall be submitted to the TCEQ, Office of Permitting, Remediation, and Registration, Air Permits Division (MC-163), P.O. Box 13087, Austin, Texas 78711-3087

The TCEQ Regional Director or the TCEQ Director of the Compliance support Division in Austin shall confirm that any deviation from specified sampling procedures will adequately indicate whether the source is in compliance.

The holder of this permit is also responsible for providing sampling facilities and conducting the sampling operations at its own expense.

C. The holder of this permit shall operate the tested facility at its maximum production and/or operating rate achievable during stack emission testing. Primary operating parameters that enable determination of production rate shall be monitored and recorded during the stack test. These parameters are to be determined at the pretest meeting. If the facility is unable to operate at design rates during testing, then additional stack testing may be required when higher production and/or operating rates are achieved.

D. Absent the advance concurrence of the TCEQ Regional Office to allow additional time, five copies of the final sampling report shall be forwarded to the TCEQ within 45 days after sampling is completed. Sampling reports shall comply with the attached provisions of Chapter 14 of the TCEQ Sampling Procedures Manual. The reports shall be distributed as follows:

One copy to the appropriate TCEQ Regional Office.
One copy to the El Paso City-County Health and Environmental District.
One copy to the TCEQ Compliance support Division in Austin

12. Within 60 days of startup operations, the permit holder shall conduct stack sampling of EPN CU/STK for SO_2 and EPN CU/STK/AN for PM, PM_{10}, CO, SO_2, and Pb. Additionally, the permit holder shall submit CEMS data collected during the stack test of 1-hour and 6-hour in stack concentrations of SO_2.

CONTINUOUS EMISSIONS/OPACITY MONITORING SYSTEMS (CEMS/COMS)

13. The holder of this permit shall install, calibrate, and maintain a CEMS to measure and record the in-stack concentration of SO_2 and the volumetric flow in the acid plants stack.

A. The CEMS shall meet the design and performance specifications, pass the field tests, and meet the installation requirements and the data analysis and reporting requirements specified in Performance Specification No. 2, 40 CFR Part 60, Appendix B. The EPA Reference Method 6 (40 CFR Part 60, Appendix A) shall be used for the Relative Accuracy Test Procedure under Performance Specification No. 2 for SO_2 concentration.

For purposes of the performance evaluation, each concentration measurement shall be of one-hour duration.

B. The system shall be zeroed and spanned daily and corrective action taken whenever the 24-hour zero drift or 24-hour span drift exceeds 5 percent of the reference value.

C. The CEMS shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) each successive 15-minute period. The monitoring data shall be reduced to clock hourly averages at least once each day. Data recorded during periods of CEMS breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages required by this special condition. The individual average concentrations shall be reduced to units of the permit allowable emission rate in lb/hr at least once every week.

D. The monitoring data also shall be reduced to six-hour block averages each day for the four consecutive six-hour periods of each operating day. Each six-hour average shall be determined as the arithmetic mean of the appropriate six contiguous one-hour average SO_2 concentrations determined under paragraph C above.

E. The CEMS shall be quality-assured at least once each calendar quarter in accordance with 40 CFR Part 60, Appendix F, Procedure 1, § 5.1.2. All cylinder gas audit exceedances of ±15 percent accuracy shall be followed with corrective action.

14. The holder of this permit shall install, calibrate, and maintain a COMS in (1) the flue exiting the fluid bed concentrate dryer baghouse and (2) the flue exiting the converter building ventilation baghouse.

A. Each COMS shall meet the design and performance specifications, pass the field tests, and meet the installation requirements and data analysis and reporting requirements specified in Performance Specification No. 1, 40 CFR Part 60, Appendix B, for COMS installed after March 30, 1983.

B. Each COMS must allow for the measurement of zero and span calibration drifts at least once every 24 hours by using a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. The optical surfaces exposed to the effluent gases shall be cleaned prior to performing any zero and span drift adjustments, except that for systems using automatic zero adjustments the optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds four percent opacity.

C. The span of each instrument shall be set at 80 to 100 percent opacity.

D. Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required by this special condition, each COMS shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive six-minute period. The six-minute averages shall be based on a minimum of 36 data points equally spaced over each six-minute period.

COMPLIANCE CONDITIONS

15. Continuous monitoring records generated pursuant to Special Condition Nos. 13 and 14 may be used to determine compliance with the conditions of this permit.

16. Emissions occurring during upsets and during periods of start-up or shutdown associated with maintenance activities are not violations of the TCEQ rules, the intent of the TCAA, or this permit if: (a) the permit holder has provided any notices and reports required by Special Condition Nos. 26 and 27; (b) the emissions were not reasonably avoidable; and (c) corrective actions were taken, as soon as practicable. **(2/99)**

PROCESS DESIGN REQUIREMENTS

17. As represented by the applicant, the following will occur:

A. All hooding, duct work, and collection systems will be constructed so that these systems effectively capture fugitive emissions.

B. All ConTop holding furnace slag skimming operations will be conducted under hooding designed to capture 95 percent or more of associated fugitive emissions, and the hooding will be vented to the converter building ventilation baghouse.

C. Matte tapping will be conducted in enclosed tunnels ventilated to the converter building ventilation baghouse.

D. All outdoor conveyor-to-conveyor material transfer points downstream of the bedding building will be controlled with enclosed chutes, and both the inlet and discharge of each chute will be equipped with rubber skirting fitted to just clear the material load on each belt. Water sprays will be installed on all such transfer points up to Belt No. 32 and will be operated, as necessary, to prevent visible emissions.

E. Conveyor-to-hopper or rotary-feeder transfer points will be enclosed, with their inlets equipped with a rubber skirt fitted to just clear the material on the belt and their discharges sealed to the receiving hopper or rotary feeder.

F. Wet concentrate storage bin-to-belt transfer points will be totally enclosed.

G. All transfer, discharge, and drop points in the reactor feed distribution system will be completely enclosed and ventilated to a local baghouse and then to the converter building ventilation baghouse.

H. The raw material screen and delumper equipment will be installed in an enclosed structure. This structure will be maintained under negative pressure and vented to a baghouse whenever the equipment is operating.

I. Handling of waste heat boiler dust will be conducted by drag-conveying the dust to covered tote boxes or equivalent structures for transport to the unloading building. Removal and transferring of waste heat boiler dust will be conducted in such a manner as to minimize material from becoming airborne.

J. Removal of accumulated solids in the converter and ConTop furnace spray chambers must be accomplished in an enclosed area ventilated through the converter building ventilation baghouse.

K. Dust collected in the ConTop ESP Cottrell will be drag and screw conveyed in an enclosed conveyance to the pugmill facility. The pugmill facility must be ventilated through a baghouse.

L. The fluid bed dryer heater, ConTop furnace holding fire system, No. 2 Acid Plant Preheater, wastewater treatment plant spray dryer preheater, and wastewater treatment plant boiler will be equipped with Low-NO_x burners. For the purposes of this special condition, Low-NO_x burners means burners designed and guaranteed by their manufacturer(s) to generate no more than 0.1 lb of NO_x per million Btu of natural gas burned.

FUGITIVE DUST CONTROLS

18. As represented by the applicant, the following will occur:

A. All paved roads will be swept/watered at least once each day unless prevented or rendered unnecessary by weather conditions.

B. The permit holder will maintain and operate at least one water-spraying truck for use on unpaved road surfaces. **(1/02)**

C. All unpaved areas/roads not controlled with an automatic sprinkler system will be sprayed by water truck at least once daily and with a minimum coverage of at least 0.1 inch of water containing the manufacturer recommended concentration of chemical dust suppressant, unless such spraying operations are prevented or rendered unnecessary by weather conditions. The only exception is the unpaved road east of the railroad tracks on the east side of the plant. **(1/02)**

D. The slag haul trucks will not exceed an average speed of 5 mph. No other trucks, except pickup trucks, operating on the plant site will exceed an average speed of 10 mph. The speed limit for all other vehicles will be 25 mph. These speed limits will be posted plant-wide as necessary to ensure driver awareness.

E. The beds of all trucks transporting dusty materials to and from the plant site will be covered.

F. During times of temporary cessation of operations, the control of fugitive emissions from paved and unpaved roads and/or areas shall follow the following schedule in lieu of Paragraph A, B and C: **(1/02)**

(1.) Sections of paved roads/areas that are used by vehicle traffic shall be swept/watered at least once per month, or as necessary to minimize fugitive dust emissions. **(1/02)**

(2) Sections of unpaved roads/areas that are used by vehicle traffic shall be sprayed with water and/or chemical dust suppressant at least once per month, or as necessary to minimize fugitive dust emissions. If an unpaved area/road becomes disturbed by vehicle traffic or the crust on the dust becomes compromised, that disturbed area/road shall be sprayed with water and/or chemical dust suppressant as soon as possible to minimize fugitive dust emissions. **(1/02)**

WORK PRACTICE REQUIREMENTS

19. As represented by the applicant, the following will occur:

A. Except as otherwise specifically provided in this permit, all air pollution abatement equipment, including hooding and duct work for the capture of fugitive emissions, will be properly maintained and operated during normal operation of the facilities authorized by this permit. Air pollution abatement equipment will be considered properly maintained and operated when operated in such a manner that the facility is capable of operating within the limits established by the TCEQ rules and this permit. Normal operation of facilities include any operation other than those described in Special Condition No. 16. Proper maintenance for hooding and duct work means the prevention or prompt repair of holes, cracks, and other conditions that would reduce the effectiveness of the emission capture system.

B. Baghouse dust will be collected in enclosed and/or covered containers or conveyance systems. All baghouse dust drop points will be totally enclosed. Disposal of baghouse dust must be accomplished in a manner that will minimize the dust from becoming airborne. There will be no outside storage of baghouse dust unless in sealed containers.

C. Replaced or used baghouse bags will be disposed of in a manner that will minimize any dust from becoming airborne.

D. The holder of this permit will maintain a sufficient supply of spare bags for all baghouses at all times on the plant site.

OPERATIONAL LIMITATIONS

20. As represented by the applicant, the following will occur:

A. During holding fire operations, emissions from the ConTop reactors/furnace system will be ventilated through the ConTop Cottrell ESP to the center of the 828-foot main stack.

B. The melting of copper-bearing materials in the converters is authorized, provided that the limits established in Special Condition No. 1 are met. **(2/99)**

C. Receipt and processing of East Helena matte and speiss at the El Paso site is not authorized.

PRODUCTION/THROUGHPUT LIMITATIONS

21. The holder of this permit will not exceed the following production limits:

    A. No more than 152,000 tons per year (tpy) of copper;

    B. The production of fuming H_2SO_4 is prohibited;

    C. With regard to outdoor matte pouring and reclaim activities;

        (1) the capacity of no more than two matte ladles shall be poured in any single hour;

        (2) no more than 75 tons of matte shall be reclaimed in any single hour; and

        (3) no more than 18,500 tons of matte shall be poured and reclaimed per calendar year.

FUEL USAGE LIMITATIONS

22. As represented by the company in the application the converter holding fire burners, the acid plant preheaters, anode furnaces, wastewater treatment plant boiler, and spray dryer will be fueled exclusively by sweet natural gas. The smelting furnace, two power boilers, and fluid bed concentrate dryer will also be fueled by sweet natural gas, except during any periods of natural gas supply curtailment, in which case fuel oil containing no more than 0.3 percent sulfur may be burned up to 504 hr/yr. Use of any other fuel will require prior approval of the Executive Director of the TCEQ.

    For purposes of this special condition, natural gas is considered "sweet" if it contains no more than 0.25 grain of H_2S per 100 standard cubic feet (scf).

23. The combined flow rate of natural gas to the facilities listed in Special Condition No. 22 shall not exceed 2,800 million scf in a calendar year.

24. Subject to the limitations of Special Condition No. 22, the holder of this permit may burn fuel oil up to 475,000 gallons per calendar year.

REPORTING REQUIREMENTS

25. Not later than 30 days after the end of each calendar quarter, the holder of this permit shall submit to the TCEQ a written report documenting all periods of excess emissions and CEMS or COMS downtime as required by 40 CFR Part 60.7(c) and (d). A short-form

report may be used under the circumstances provided in those rules. For purposes of this condition, excess emissions shall be defined as all periods during which the six-hour block average SO_2 concentration monitored in the acid plants stack exceeded 500 ppmv and all six-minute periods during which the opacity monitored in the fluid bed dryer outlet exceeded 10 percent or the converter building ventilation baghouse outlet exceeded 15 percent. The report shall also include the results of the quarterly cylinder gas audits required by Special Condition No. 13E.

NOTIFICATION REQUIREMENTS

26. As soon as practicable, but not later than 24 hours, after the permit holder discovers that an unscheduled occurrence or excursion of a process or operation at a facility covered by this permit has resulted in an unauthorized emission of air contaminants, the permit holder shall make the determination required by 30 TAC § 101.201(a)(1)(A). If the permit holder determines that a reportable upset has occurred, then the permit holder shall comply with the notification requirements of 30 TAC § 101.201(a)(1)(B). **(2/99)**

27. The permit holder shall notify the TCEQ Regional Office and the El Paso City-County Health and Environmental District in writing at least 10 days before any planned maintenance, start-up, or shutdown which is expected to cause an unauthorized emission that equals or exceeds a reportable quantity in any 24-hour period. If a 10-day notice cannot be given due to an unplanned occurrence, notice shall be given as soon as practical prior to the maintenance, start-up, or shutdown. In the event that any maintenance, start-up, or shutdown results in an unexpected unauthorized emission, the permit holder shall comply with Special Condition No. 26. **(2/99)**

MATERIALS SAMPLING REQUIREMENTS

28. The holder of this permit shall:

    A. Collect daily grab samples of copper matte and any lead matte charged to the converters.

    B. Each calendar month, prepare a composite copper matte and a composite lead matte sample from those collected each day and analyze the composites using the EPA RM 108A, B, or C (40 CFR Part 61, Appendix B) to determine the weight-percent of inorganic arsenic in each composite sample.

    C. Calculate the converter arsenic charge rate once per month using the following equation:

$$R_c = \sum_{I=1}^{n} \frac{A_c W_{ci} + A_l W_{li}}{100\ H_c}$$

Where:

R_c is the converter arsenic charging rate (kg/hr).

A_c is the monthly average weight percent of arsenic in the matte charged during the month as determined under paragraph (B) of this special condition.

A_l is the monthly average weight-percent of arsenic in the lead matte charged during the month as determined under paragraph (B) of this special condition.

W_{ci} is the total weight of copper matte charged to a copper converter during the month (kg).

W_{li} is the total weight of lead matte charged to a copper converter during the month (kg).

H_c is the total number of hours the copper converter department was in operation during the month (hrs).

n is the number of copper converters in operation during the month.

D. Determine an annual arsenic charging rate for the copper converter department once per month by computing the arithmetic average of the 12 monthly converter arsenic charging rate values (R_c) for the preceding 12-month period.

E. The permit holder shall submit a written report to the TCEQ Executive Director postmarked by January 30 of each year which documents the monthly calculations of the annual converter arsenic charging rate for the previous calendar year. If for any year the annual average arsenic charge rate to the converters exceeds 75 kg/hr, the report shall also include a plan for compliance with all applicable requirements of 40 CFR Part 61, Subpart O.

F. The permit holder may petition the EPA Administrator and the TCEQ Executive Director for a modified sampling and analysis schedule if analyses performed for the first 12-month period after the date of ConTop process operations show that the annual average arsenic charge rate to the converters is substantially below 75 kg/hr.

RECORDKEEPING REQUIREMENTS

29. Records shall be maintained on:

A. The occurrence and duration of any start-up, shutdown, or malfunction of any facility under this permit;

B. Any malfunction of air pollution control equipment;

C. All maintenance and repair activities undertaken with respect to air pollution control equipment;

D. Any period during which a CEMS or COMS required by this permit is inoperative; and

E. The monitoring and quality-assurance data required by Special Condition Nos. 13 and 14.

F. Records shall be maintained on:

(1) number of matte pouring events and amount poured per event;
(2) date and time of each pouring event;
(3) tons of matte poured outdoors per calendar year; and
(4) amount and time required to reclaim matte material.

These records shall be maintained for a period of at least three years and made available for inspection upon request to personnel of the TCEQ or the El Paso City-County Health and Environmental District.

30. Records shall be maintained of the cumulative annual amount of natural gas burned in the facilities listed in Special Condition No. 22 starting on January 1 of each year. Such records must be maintained for at least two years following the calendar year in which they were created and must be made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

31. Records shall be maintained of the cumulative annual amount of fuel oil burned in the facilities listed in Special Condition No. 22 starting on January 1 of each year. Such records must be maintained for a period of at least two years following the calendar year in which they were created and must be made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

32. Records shall be maintained on the following parameters: the tonnage of anode copper produced each calendar year.

    Such records must be maintained for a period of at least two years following the calendar year in which they were created and must be made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

33. Records shall be maintained on the shifts of operation of sweeper or watering trucks and the reason(s) for not sweeping and/or watering at least one shift each day. Such records shall be maintained for a period of at least three years following the day in which they were generated and made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

CONTEMPORANEOUS REDUCTION

34. To show compliance with Federal non-attainment requirements, the following table will be used:

Summary of Emissions

in tpy

Pollutant	Pre-ConTop	CurrentPermit Allowable	Net
NOx	638.20	220.85	<-417.35>

PERMIT RENEWAL

35. This permit shall be effective for 5 years from the renewal date shown below.

Dated _____

GENERAL CONDITIONS

Permit Number 20345

1. RETENTION OF PERMIT - A copy of this permit shall be kept at the plant site and made available at the request of the Texas Commission on Environmental Quality (TCEQ) or the El Paso City-County Health and Environmental District.

2. CIRCUMVENTION - The permit holder will not use any plan, activity, device, or contrivance that will, without resulting in an actual reduction of air contaminants, conceal or appear to minimize the effects of an emission which would otherwise constitute a violation of the Texas Clean Air Act (TCAA), the TCEQ rules, or this permit.

3. INCORPORATED RULES - Any reference in this permit to rules shall be construed as referring to the rule(s) as adopted on the date of permit issuance.

4. RESPONSIBLE AGENCIES - Any reference in this permit to the TCEQ, the EPA, and the El Paso City-County Health and Environmental District shall include any legal successors to these agencies.

5. UNITS AND ABBREVIATIONS - Units and abbreviations referenced in this permit have the following meanings:

   CFR: Code of Federal Regulations. The number preceding any reference to "CFR" represents the volume and the succeeding number to the part or section. Thus, "40 CFR Part 61" is Volume 40, Part 61 of the Code of Federal Regulations.

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   TCEQ: The Texas Commission on Environmental Quality

   TCAA: The Texas Clean Air Act, Texas Health and Safety Code §§ 382.001 through 382.115

   COMS: continuous opacity monitoring system

   CEMS: continuous emissions monitoring system

   ESP: electrostatic precipitator

   acf: actual cubic feet

   Btu: British thermal units

   dscf: dry standard cubic foot

gpm:	gallons per minute
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hr:	hours
kg:	kilograms
lb:	pounds
mg:	milligrams
mph:	miles per hour
ppmv:	parts per million by volume
scfm:	standard cubic feet per minute
wk:	week
yr:	year
NO_x:	oxides of nitrogen
SO_2:	sulfur dioxide
H_2S:	hydrogen sulfide
H_2SO_4:	sulfuric acid
PM:	particulate matter, suspended in the atmosphere, including PM_{10}
PM_{10}:	particulate matter equal to or less than 10 microns in diameter. Where PM is not listed, it shall be assumed that no particulate matter greater than 10 microns is emitted.

Dated_____

SPECIAL CONDITIONS

Permit Number 20345

EMISSION LIMITATIONS

1. This permit covers only those sources of emissions listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates," and those sources are limited to the emission limits and other conditions specified in that attached table.

EMISSION STANDARDS

2. As represented by the applicant, the outlet grain-loading from the following control devices will not exceed 0.01 gr/dscf:

   A. The fluid bed dryer baghouse;
   B. The reactor feed distribution system baghouse;
   C. The spray dryer baghouse;
   D. The lime storage silo baghouse;
   E. The dry concentrate storage bin bag filters; and
   F. The delumper baghouse.

3. The outlet grain-loading from the converter building ventilation baghouse and the converter pugmill baghouse will not exceed 0.02 gr/dscf.

4. The Company has represented that the in-flue concentrations will not exceed the following limits:

   A. In the stack serving the acid plants:

      (1) 500 ppmv SO_2, six-hour block average of one-hour concentrations;
      (2) 960 ppmv SO_2, one-hour block average; and
      (3) 0.2 mg of H_2SO_4/acf.

   B. In the flue leading from the converter building ventilation baghouse to the 828-foot main stack annulus: 255 ppmv SO_2, one-hour average.

   C. In the flue leading from the fluid bed concentrate dryer to the 828-foot main stack annulus: ppmv SO_2, one-hour average.

   D. In the flue leading from the ConTop Reactor/Furnace to the center of the 828-foot main stack during holding fire operations: 50 ppmv SO_2, one-hour average.

OPACITY LIMITS

5. There will be no visible emissions from any outdoor material conveyor belt transfer point downstream of the bedding building, except during those periods described in Title 30 Texas Administrative Code §§ 101.201 and 101.211 (30 TAC §§ 101.201 and 101.211. **(2/99)**

6. Opacity of emissions from the lime silo baghouse, the delumper baghouse, the spray dryer baghouse, the wastewater treatment plant boiler, the acid plant preheaters, any openings in the converter building, and the two power boilers will not exceed 5 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211. **(2/99)**

7. Opacity of emissions in the flue leading from the fluid bed concentrate dryer to the 828-foot main stack annulus will not exceed 10 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211.

8. Opacity of emissions from the acid plants stack and in the flue leading from the converter building ventilation baghouse to the 828-foot main stack annulus will not exceed 15 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211.

9. Opacity of emissions from ConTop holding furnace slag pouring operations shall not exceed 20 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211.

10. Opacity of emission from the matte pouring and reclaim activities shall not exceed 30 percent average over a six-minute period.

DETERMINATION OF COMPLIANCE

11. At the request of the TCEQ, the holder of this permit shall perform stack sampling and other testing as required below to establish the actual pattern and quantities of air contaminants being emitted into the atmosphere as follows:

    A. The following test methods shall be used at such time as the TCEQ requests testing for the air contaminants indicated below with results evaluated in accordance with 40 CFR Part 60.8(f):

(1) Any required observations of visible emissions shall be conducted using the EPA Reference Method (RM) 9. Any contributions from uncombined water shall not be included for comparison with applicable limits on opacity.

(2) Any required measurements of PM (grain loading) shall be conducted using the EPA RM 5, 40 CFR Part 60, Appendix A.

(3) Any required measurements of PM_{10} emissions shall be conducted using the EPA RM 201 or 201A, 40 CFR Part 51, Appendix M.

(4) Any required measurements of the SO_2 concentration (1) in the flue leading from the converter building ventilation baghouse to the 828-foot main stack annulus, (2) in the flue leading from the fluid bed concentrate dryer to the 828-foot main stack annulus, and (3) in the flue leading from the ConTop reactor/furnace to the center of the 828-foot main stack during holding fire shall be conducted using the EPA RM 6.

B. The TCEQ Regional Office shall be contacted in writing as soon as any required testing is scheduled, but not less than 45 days prior to sampling, to schedule a pretest meeting.

The notice shall include:

(1) Date for pretest meeting;
(2) Date sampling will occur;
(3) Name of firm conducting sampling;
(4) Type of sampling equipment to be used; and
(5) Method or procedure to be used in sampling.

The purpose of the pretest meeting is to review the necessary sampling and testing procedures, to provide the proper data forms for recording pertinent data, and to review the format procedures for submitting the test reports.

A written description of any proposed deviation from sampling procedures specified in this permit or applicable TCEQ or EPA sampling protocols shall be made available to the TCEQ prior to the pretest meeting. Requests to waive testing for any pollutant specified in this special condition shall be submitted to the TCEQ, Office of Permitting, Remediation, and Registration, Air Permits Division (MC-163), P.O. Box 13087, Austin, Texas 78711-3087

The TCEQ Regional Director or the TCEQ Director of the Compliance support Division in Austin shall confirm that any deviation from specified sampling procedures will adequately indicate whether the source is in compliance.

The holder of this permit is also responsible for providing sampling facilities and conducting the sampling operations at its own expense.

C. The holder of this permit shall operate the tested facility at its maximum production and/or operating rate achievable during stack emission testing. Primary operating parameters that enable determination of production rate shall be monitored and recorded during the stack test. These parameters are to be determined at the pretest meeting. If the facility is unable to operate at design rates during testing, then additional stack testing may be required when higher production and/or operating rates are achieved.

D. Absent the advance concurrence of the TCEQ Regional Office to allow additional time, five copies of the final sampling report shall be forwarded to the TCEQ within 45 days after sampling is completed. Sampling reports shall comply with the attached provisions of Chapter 14 of the TCEQ Sampling Procedures Manual. The reports shall be distributed as follows:

One copy to the appropriate TCEQ Regional Office.
One copy to the El Paso City-County Health and Environmental District.
One copy to the TCEQ Compliance support Division in Austin

CONTINUOUS EMISSIONS/OPACITY MONITORING SYSTEMS (CEMS/COMS)

12. The holder of this permit shall install, calibrate, and maintain a CEMS to measure and record the in-stack concentration of SO_2 and the volumetric flow in the acid plants stack.

A. The CEMS shall meet the design and performance specifications, pass the field tests, and meet the installation requirements and the data analysis and reporting requirements specified in Performance Specification No. 2, 40 CFR Part 60, Appendix B. The EPA Reference Method 6 (40 CFR Part 60, Appendix A) shall be used for the Relative Accuracy Test Procedure under Performance Specification No. 2 for SO_2 concentration. For purposes of the performance evaluation, each concentration measurement shall be of one-hour duration.

B. The system shall be zeroed and spanned daily and corrective action taken whenever the 24-hour zero drift or 24-hour span drift exceeds 5 percent of the reference value.

C. The CEMS shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) each successive 15-minute period. The monitoring data shall be reduced to clock hourly averages at least once each day. Data recorded during periods of CEMS breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages required by this special condition. The individual average concentrations shall be reduced to units of the permit allowable emission rate in lb/hr at least once every week.

D. The monitoring data also shall be reduced to six-hour block averages each day for the four consecutive six-hour periods of each operating day. Each six-hour average shall be determined as the arithmetic mean of the appropriate six contiguous one-hour average SO_2 concentrations determined under paragraph C above.

E. The CEMS shall be quality-assured at least once each calendar quarter in accordance with 40 CFR Part 60, Appendix F, Procedure 1, § 5.1.2. All cylinder gas audit exceedances of ±15 percent accuracy shall be followed with corrective action.

13. The holder of this permit shall install, calibrate, and maintain a COMS in (1) the flue exiting the fluid bed concentrate dryer baghouse and (2) the flue exiting the converter building ventilation baghouse.

A. Each COMS shall meet the design and performance specifications, pass the field tests, and meet the installation requirements and data analysis and reporting requirements specified in Performance Specification No. 1, 40 CFR Part 60, Appendix B, for COMS installed after March 30, 1983.

B. Each COMS must allow for the measurement of zero and span calibration drifts at least once every 24 hours by using a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. The optical surfaces exposed to the effluent gases shall be cleaned prior to performing any zero and span drift adjustments, except that for systems using automatic zero adjustments the optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds four percent opacity.

C. The span of each instrument shall be set at 80 to 100 percent opacity.

D. Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required by this special condition, each COMS shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data

recording for each successive six-minute period. The six-minute averages shall be based on a minimum of 36 data points equally spaced over each six-minute period.

COMPLIANCE CONDITIONS

14. Continuous monitoring records generated pursuant to Special Condition Nos. 12 and 13 may be used to determine compliance with the conditions of this permit.

15. Emissions occurring during upsets and during periods of start-up or shutdown associated with maintenance activities are not violations of the TCEQ rules, the intent of the TCAA, or this permit if: (a) the permit holder has provided any notices and reports required by Special Condition Nos. 25 and 26; (b) the emissions were not reasonably avoidable; and (c) corrective actions were taken, as soon as practicable. **(2/99)**

PROCESS DESIGN REQUIREMENTS

16. As represented by the applicant, the following will occur:

    A. All hooding, duct work, and collection systems will be constructed so that these systems effectively capture fugitive emissions.

    B. All ConTop holding furnace slag skimming operations will be conducted under hooding designed to capture 95 percent or more of associated fugitive emissions, and the hooding will be vented to the converter building ventilation baghouse.

    C. Matte tapping will be conducted in enclosed tunnels ventilated to the converter building ventilation baghouse.

    D. All outdoor conveyor-to-conveyor material transfer points downstream of the bedding building will be controlled with enclosed chutes, and both the inlet and discharge of each chute will be equipped with rubber skirting fitted to just clear the material load on each belt. Water sprays will be installed on all such transfer points up to Belt No. 32 and will be operated, as necessary, to prevent visible emissions.

    E. Conveyor-to-hopper or rotary-feeder transfer points will be enclosed, with their inlets equipped with a rubber skirt fitted to just clear the material on the belt and their discharges sealed to the receiving hopper or rotary feeder.

F. Wet concentrate storage bin-to-belt transfer points will be totally enclosed.

G. All transfer, discharge, and drop points in the reactor feed distribution system will be completely enclosed and ventilated to a local baghouse and then to the converter building ventilation baghouse.

H. The raw material screen and delumper equipment will be installed in an enclosed structure. This structure will be maintained under negative pressure and vented to a baghouse whenever the equipment is operating.

I. Handling of waste heat boiler dust will be conducted by drag-conveying the dust to covered tote boxes or equivalent structures for transport to the unloading building. Removal and transferring of waste heat boiler dust will be conducted in such a manner as to minimize material from becoming airborne.

J. Removal of accumulated solids in the converter and ConTop furnace spray chambers must be accomplished in an enclosed area ventilated through the converter building ventilation baghouse.

K. Dust collected in the ConTop ESP Cottrell will be drag and screw conveyed in an enclosed conveyance to the pugmill facility. The pugmill facility must be ventilated through a baghouse.

L. The fluid bed dryer heater, ConTop furnace holding fire system, No. 2 Acid Plant Preheater, wastewater treatment plant spray dryer preheater, and wastewater treatment plant boiler will be equipped with Low-NO_x burners. For the purposes of this special condition, Low-NO_x burners means burners designed and guaranteed by their manufacturer(s) to generate no more than 0.1 lb of NO_x per million Btu of natural gas burned.

FUGITIVE DUST CONTROLS

17. As represented by the applicant, the following will occur:

A. All paved roads will be swept/watered at least once each day unless prevented or rendered unnecessary by weather conditions.

B. The permit holder will maintain and operate at least one water-spraying truck for use on unpaved road surfaces. **(1/02)**

C. All unpaved areas/roads not controlled with an automatic sprinkler system will be sprayed by water truck at least once daily and with a minimum coverage of at least 0.1 inch of water containing the manufacturer recommended concentration of chemical dust suppressant, unless such spraying operations are prevented or rendered unnecessary by weather conditions. The only exception is the unpaved road east of the railroad tracks on the east side of the plant. **(1/02)**

D. The slag haul trucks will not exceed an average speed of 5 mph. No other trucks, except pickup trucks, operating on the plant site will exceed an average speed of 10 mph. The speed limit for all other vehicles will be 25 mph. These speed limits will be posted plant-wide as necessary to ensure driver awareness.

E. The beds of all trucks transporting dusty materials to and from the plant site will be covered.

F. During times of temporary cessation of operations, the control of fugitive emissions from paved and unpaved roads and/or areas shall follow the following schedule in lieu of Paragraph A, B and C: **(1/02)**

(1.) Sections of paved roads/areas that are used by vehicle traffic shall be swept/watered at least once per month, or as necessary to minimize fugitive dust emissions. **(1/02)**

(2) Sections of unpaved roads/areas that are used by vehicle traffic shall be sprayed with water and/or chemical dust suppressant at least once per month, or as necessary to minimize fugitive dust emissions. If an unpaved area/road becomes disturbed by vehicle traffic or the crust on the dust becomes compromised, that disturbed area/road shall be sprayed with water and/or chemical dust suppressant as soon as possible to minimize fugitive dust emissions. **(1/02)**

WORK PRACTICE REQUIREMENTS

18. As represented by the applicant, the following will occur:

A. Except as otherwise specifically provided in this permit, all air pollution abatement equipment, including hooding and duct work for the capture of fugitive emissions, will be properly maintained and operated during normal operation of the facilities authorized by this permit. Air pollution abatement equipment will be considered properly maintained and operated when operated in such a manner that the facility is capable of operating within the limits established by the TCEQ rules and this

permit. Normal operation of facilities include any operation other than those described in Special Condition No. 15. Proper maintenance for hooding and duct work means the prevention or prompt repair of holes, cracks, and other conditions that would reduce the effectiveness of the emission capture system.

B. Baghouse dust will be collected in enclosed and/or covered containers or conveyance systems. All baghouse dust drop points will be totally enclosed. Disposal of baghouse dust must be accomplished in a manner that will minimize the dust from becoming airborne. There will be no outside storage of baghouse dust unless in sealed containers.

C. Replaced or used baghouse bags will be disposed of in a manner that will minimize any dust from becoming airborne.

D. The holder of this permit will maintain a sufficient supply of spare bags for all baghouses at all times on the plant site.

OPERATIONAL LIMITATIONS

19. As represented by the applicant, the following will occur:

A. The lead plant will not be operated unless authorized in advance by the TCEQ. The zinc plant may no longer be operated at all.

B. During holding fire operations, emissions from the ConTop reactors/furnace system will be ventilated through the ConTop Cottrell ESP to the center of the 828-foot main stack.

C. The melting of copper-bearing materials in the converters is authorized, provided that the limits established in Special Condition No. 1 are met. **(2/99)**

PRODUCTION/THROUGHPUT LIMITATIONS

20. The holder of this permit will not exceed the following production limits:

A. No more than 152,000 tons per year (tpy) of copper;

B. The production of fuming H_2SO_4 is prohibited;

C. With regard to outdoor matte pouring and reclaim activities;

(1) the capacity of no more than two matte ladles shall be poured in any single hour;

(2) no more than 75 tons of matte shall be reclaimed in any single hour; and

(3) no more than 18,500 tons of matte shall be poured and reclaimed per calendar year.

FUEL USAGE LIMITATIONS

21. As represented by the company in the application the converter holding fire burners, the acid plant preheaters, anode furnaces, wastewater treatment plant boiler, and spray dryer will be fueled exclusively by sweet natural gas. The smelting furnace, two power boilers, and fluid bed concentrate dryer will also be fueled by sweet natural gas, except during any periods of natural gas supply curtailment, in which case fuel oil containing no more than 0.3 percent sulfur may be burned up to 504 hr/yr. Use of any other fuel will require prior approval of the Executive Director of the TCEQ.

For purposes of this special condition, natural gas is considered "sweet" if it contains no more than 0.25 grain of H_2S per 100 standard cubic feet (scf).

22. The combined flow rate of natural gas to the facilities listed in Special Condition No. 21 shall not exceed 2,800 million scf in a calendar year.

23. Subject to the limitations of Special Condition No. 21, the holder of this permit may burn fuel oil up to 475,000 gallons per calendar year.

REPORTING REQUIREMENTS

24. Not later than 30 days after the end of each calendar quarter, the holder of this permit shall submit to the TCEQ a written report documenting all periods of excess emissions and CEMS or COMS downtime as required by 40 CFR Part 60.7(c) and (d). A short-form report may be used under the circumstances provided in those rules. For purposes of this condition, excess emissions shall be defined as all periods during which the six-hour block average SO_2 concentration monitored in the acid plants stack exceeded 500 ppmv and all six-minute periods during which the opacity monitored in the fluid bed dryer outlet exceeded 10 percent or the converter building ventilation baghouse outlet

exceeded 15 percent. The report shall also include the results of the quarterly cylinder gas audits required by Special Condition No. 12E.

NOTIFICATION REQUIREMENTS

25. As soon as practicable, but not later than 24 hours, after the permit holder discovers that an unscheduled occurrence or excursion of a process or operation at a facility covered by this permit has resulted in an unauthorized emission of air contaminants, the permit holder shall make the determination required by 30 TAC § 101.201(a)(1)(A). If the permit holder determines that a reportable upset has occurred, then the permit holder shall comply with the notification requirements of 30 TAC § 101.201(a)(1)(B). **(2/99)**

26. The permit holder shall notify the TCEQ Regional Office and the El Paso City-County Health and Environmental District in writing at least 10 days before any planned maintenance, start-up, or shutdown which is expected to cause an unauthorized emission that equals or exceeds a reportable quantity in any 24-hour period. If a 10-day notice cannot be given due to an unplanned occurrence, notice shall be given as soon as practical prior to the maintenance, start-up, or shutdown. In the event that any maintenance, start-up, or shutdown results in an unexpected unauthorized emission, the permit holder shall comply with Special Condition No. 25. **(2/99)**

MATERIALS SAMPLING REQUIREMENTS

27. The holder of this permit shall:

    A. Collect daily grab samples of copper matte and any lead matte charged to the converters.

    B. Each calendar month, prepare a composite copper matte and a composite lead matte sample from those collected each day and analyze the composites using the EPA RM 108A, B, or C (40 CFR Part 61, Appendix B) to determine the weight-percent of inorganic arsenic in each composite sample.

    C. Calculate the converter arsenic charge rate once per month using the following equation:

$$R_c = \sum_{I=1}^{n} \frac{A_c W_{ci} + A_l W_{li}}{100\, H_c}$$

Where:

R_c is the converter arsenic charging rate (kg/hr).

A_c is the monthly average weight percent of arsenic in the matte charged during the month as determined under paragraph (B) of this special condition.

A_l is the monthly average weight-percent of arsenic in the lead matte charged during the month as determined under paragraph (B) of this special condition.

W_{ci} is the total weight of copper matte charged to a copper converter during the month (kg).

W_{li} is the total weight of lead matte charged to a copper converter during the month (kg).

H_c is the total number of hours the copper converter department was in operation during the month (hrs).

n is the number of copper converters in operation during the month.

D. Determine an annual arsenic charging rate for the copper converter department once per month by computing the arithmetic average of the 12 monthly converter arsenic charging rate values (R_c) for the preceding 12-month period.

E. The permit holder shall submit a written report to the TCEQ Executive Director postmarked by January 30 of each year which documents the monthly calculations of the annual converter arsenic charging rate for the previous calendar year. If for any year the annual average arsenic charge rate to the converters exceeds 75 kg/hr, the report shall also include a plan for compliance with all applicable requirements of 40 CFR Part 61, Subpart O.

F. The permit holder may petition the EPA Administrator and the TCEQ Executive Director for a modified sampling and analysis schedule if analyses performed for the first 12-month period after the date of ConTop process operations show that the annual average arsenic charge rate to the converters is substantially below 75 kg/hr.

RECORDKEEPING REQUIREMENTS

28. Records shall be maintained on:

A. The occurrence and duration of any start-up, shutdown, or malfunction of any facility under this permit;

B. Any malfunction of air pollution control equipment;

C. All maintenance and repair activities undertaken with respect to air pollution control equipment;

D. Any period during which a CEMS or COMS required by this permit is inoperative; and

E. The monitoring and quality-assurance data required by Special Condition Nos. 12 and 13.

F. Records shall be maintained on:

(1) number of matte pouring events and amount poured per event;
(2) date and time of each pouring event;
(3) tons of matte poured outdoors per calendar year; and
(4) amount and time required to reclaim matte material.

These records shall be maintained for a period of at least three years and made available for inspection upon request to personnel of the TCEQ or the El Paso City-County Health and Environmental District.

29. Records shall be maintained of the cumulative annual amount of natural gas burned in the facilities listed in Special Condition No. 21 starting on January 1 of each year. Such records must be maintained for at least two years following the calendar year in which they were created and must be made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

30. Records shall be maintained of the cumulative annual amount of fuel oil burned in the facilities listed in Special Condition No. 21 starting on January 1 of each year. Such records must be maintained for a period of at least two years following the calendar year in which they were created and must be made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

31. Records shall be maintained on the following parameters: the tonnage of anode copper produced each calendar year.

Such records must be maintained for a period of at least two years following the calendar year in which they were created and must be made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

32. Records shall be maintained on the shifts of operation of sweeper or watering trucks and the reason(s) for not sweeping and/or watering at least one shift each day. Such records shall be maintained for a period of at least three years following the day in which they were generated and made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

CONTEMPORANEOUS REDUCTION

33. To show compliance with Federal non-attainment requirements, the following table will be used:

Summary of Emissions

in tpy

Pollutant	Pre-ConTop	CurrentPermit Allowable	Net
NOx	638.20	220.85	<-417.35>

Dated _____

GENERAL CONDITIONS

Permit Number 20345

1. RETENTION OF PERMIT - A copy of this permit shall be kept at the plant site and made available at the request of the Texas Commission on Environmental Quality (TCEQ) or the El Paso City-County Health and Environmental District.

2. CIRCUMVENTION - The permit holder will not use any plan, activity, device, or contrivance that will, without resulting in an actual reduction of air contaminants, conceal or appear to minimize the effects of an emission which would otherwise constitute a violation of the Texas Clean Air Act (TCAA), the TCEQ rules, or this permit.

3. INCORPORATED RULES - Any reference in this permit to rules shall be construed as referring to the rule(s) as adopted on the date of permit issuance.

4. RESPONSIBLE AGENCIES - Any reference in this permit to the TCEQ, the EPA, and the El Paso City-County Health and Environmental District shall include any legal successors to these agencies.

5. UNITS AND ABBREVIATIONS - Units and abbreviations referenced in this permit have the following meanings:

   CFR: Code of Federal Regulations. The number preceding any reference to "CFR" represents the volume and the succeeding number to the part or section. Thus, "40 CFR Part 61" is Volume 40, Part 61 of the Code of Federal Regulations.

   EPA: The U.S. Environmental Protection Agency

   TCEQ: The Texas Commission on Environmental Quality

   TCAA: The Texas Clean Air Act, Texas Health and Safety Code §§ 382.001 through 382.115

   COMS: continuous opacity monitoring system

   CEMS: continuous emissions monitoring system

   ESP: electrostatic precipitator

   acf: actual cubic feet

   Btu: British thermal units

   dscf: dry standard cubic foot

gpm:	gallons per minute
gr:	grains
hr:	hours
kg:	kilograms
lb:	pounds
mg:	milligrams
mph:	miles per hour
ppmv:	parts per million by volume
scfm:	standard cubic feet per minute
wk:	week
yr:	year
NO_x:	oxides of nitrogen
SO_2:	sulfur dioxide
H_2S:	hydrogen sulfide
H_2SO_4:	sulfuric acid
PM:	particulate matter, suspended in the atmosphere, including PM_{10}
PM_{10}:	particulate matter equal to or less than 10 microns in diameter. Where PM is not listed, it shall be assumed that no particulate matter greater than 10 microns is emitted.

Dated_____

GENERAL CONDITIONS

Permit Number 20345

1. RETENTION OF PERMIT - A copy of this permit shall be kept at the plant site and made available at the request of the Texas Commission on Environmental Quality (TCEQ) or the El Paso City-County Health and Environmental District.

2. CIRCUMVENTION - The permit holder will not use any plan, activity, device, or contrivance that will, without resulting in an actual reduction of air contaminants, conceal or appear to minimize the effects of an emission which would otherwise constitute a violation of the Texas Clean Air Act (TCAA), the TCEQ rules, or this permit.

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   EPA: The U.S. Environmental Protection Agency

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   TCAA: The Texas Clean Air Act, Texas Health and Safety Code §§ 382.001 through 382.115

   COMS: continuous opacity monitoring system

   CEMS: continuous emissions monitoring system

   ESP: electrostatic precipitator

   acf: actual cubic feet

   Btu: British thermal units

   dscf: dry standard cubic foot

gpm:	gallons per minute
gr:	grains
hr:	hours
kg:	kilograms
lb:	pounds
mg:	milligrams
mph:	miles per hour
ppmv:	parts per million by volume
scfm:	standard cubic feet per minute
wk:	week
yr:	year
NO_x:	oxides of nitrogen
SO_2:	sulfur dioxide
H_2S:	hydrogen sulfide
H_2SO_4:	sulfuric acid
PM:	particulate matter, suspended in the atmosphere, including PM_{10}
PM_{10}:	particulate matter equal to or less than 10 microns in diameter. Where PM is not listed, it shall be assumed that no particulate matter greater than 10 microns is emitted.

Dated_____

SPECIAL CONDITIONS

Permit Number 20345

EMISSION LIMITATIONS

1. This permit covers only those sources of emissions listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates," and those sources are limited to the emission limits and other conditions specified in that attached table.

EMISSION STANDARDS

2. As represented by the applicant, the outlet grain-loading from the following control devices will not exceed 0.01 gr/dscf:

   A. The fluid bed dryer baghouse;
   B. The reactor feed distribution system baghouse;
   C. The spray dryer baghouse;
   D. The lime storage silo baghouse;
   E. The dry concentrate storage bin bag filters; and
   F. The delumper baghouse.

3. The outlet grain-loading from the converter building ventilation baghouse and the converter pugmill baghouse will not exceed 0.02 gr/dscf.

4. The Company has represented that the in-flue concentrations will not exceed the following limits:

   A. In the stack serving the acid plants:

      (1) 500 ppmv SO_2, six-hour block average of one-hour concentrations;
      (2) 960 ppmv SO_2, one-hour block average; and
      (3) 0.2 mg of H_2SO_4/acf.

   B. In the flue leading from the converter building ventilation baghouse to the 828-foot main stack annulus: 255 ppmv SO_2, one-hour average.

   C. In the flue leading from the fluid bed concentrate dryer to the 828-foot main stack annulus: 10 ppmv SO_2, one-hour average.

   D. In the flue leading from the ConTop Reactor/Furnace to the center of the 828-foot main stack during holding fire operations: 50 ppmv SO_2, one-hour average.

OPACITY LIMITS

5. There will be no visible emissions from any outdoor material conveyor belt transfer point downstream of the bedding building, except during those periods described in Title 30 Texas Administrative Code §§ 101.201 and 101.211 (30 TAC §§ 101.201 and 101.211. **(2/99)**

6. Opacity of emissions from the lime silo baghouse, the delumper baghouse, the spray dryer baghouse, the wastewater treatment plant boiler, the acid plant preheaters, any openings in the converter building, and the two power boilers will not exceed 5 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211. **(2/99)**

7. Opacity of emissions in the flue leading from the fluid bed concentrate dryer to the 828-foot main stack annulus will not exceed 10 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211.

8. Opacity of emissions from the acid plants stack and in the flue leading from the converter building ventilation baghouse to the 828-foot main stack annulus will not exceed 15 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211.

9. Opacity of emissions from ConTop holding furnace slag pouring operations shall not exceed 20 percent averaged over any six-minute period, except during those periods described in 30 TAC §§ 101.201 and 101.211.

10. Opacity of emission from the matte pouring and reclaim activities shall not exceed 30 percent average over a six-minute period.

DETERMINATION OF COMPLIANCE

11. At the request of the TCEQ, the holder of this permit shall perform stack sampling and other testing as required below to establish the actual pattern and quantities of air contaminants being emitted into the atmosphere as follows:

    A. The following test methods shall be used at such time as the TCEQ requests testing for the air contaminants indicated below with results evaluated in accordance with 40 CFR Part 60.8(f):

(1) Any required observations of visible emissions shall be conducted using the EPA Reference Method (RM) 9. Any contributions from uncombined water shall not be included for comparison with applicable limits on opacity.

(2) Any required measurements of PM (grain loading) shall be conducted using the EPA RM 5, 40 CFR Part 60, Appendix A.

(3) Any required measurements of PM_{10} emissions shall be conducted using the EPA RM 201 or 201A, 40 CFR Part 51, Appendix M.

(4) Any required measurements of the SO_2 concentration (1) in the flue leading from the converter building ventilation baghouse to the 828-foot main stack annulus, (2) in the flue leading from the fluid bed concentrate dryer to the 828-foot main stack annulus, and (3) in the flue leading from the ConTop reactor/furnace to the center of the 828-foot main stack during holding fire shall be conducted using the EPA RM 6.

B. The TCEQ Regional Office shall be contacted in writing as soon as any required testing is scheduled, but not less than 45 days prior to sampling, to schedule a pretest meeting.

The notice shall include:

(1) Date for pretest meeting;
(2) Date sampling will occur;
(3) Name of firm conducting sampling;
(4) Type of sampling equipment to be used; and
(5) Method or procedure to be used in sampling.

The purpose of the pretest meeting is to review the necessary sampling and testing procedures, to provide the proper data forms for recording pertinent data, and to review the format procedures for submitting the test reports.

A written description of any proposed deviation from sampling procedures specified in this permit or applicable TCEQ or EPA sampling protocols shall be made available to the TCEQ prior to the pretest meeting. Requests to waive testing for any pollutant specified in this special condition shall be submitted to the TCEQ, Office of Permitting, Remediation, and Registration, Air Permits Division (MC-163), P.O. Box 13087, Austin, Texas 78711-3087

The TCEQ Regional Director or the TCEQ Director of the Compliance support Division in Austin shall confirm that any deviation from specified sampling procedures will adequately indicate whether the source is in compliance.

The holder of this permit is also responsible for providing sampling facilities and conducting the sampling operations at its own expense.

C. The holder of this permit shall operate the tested facility at its maximum production and/or operating rate achievable during stack emission testing. Primary operating parameters that enable determination of production rate shall be monitored and recorded during the stack test. These parameters are to be determined at the pretest meeting. If the facility is unable to operate at design rates during testing, then additional stack testing may be required when higher production and/or operating rates are achieved.

D. Absent the advance concurrence of the TCEQ Regional Office to allow additional time, five copies of the final sampling report shall be forwarded to the TCEQ within 45 days after sampling is completed. Sampling reports shall comply with the attached provisions of Chapter 14 of the TCEQ Sampling Procedures Manual. The reports shall be distributed as follows:

One copy to the appropriate TCEQ Regional Office.
One copy to the El Paso City-County Health and Environmental District.
One copy to the TCEQ Compliance support Division in Austin

12. Within 60 days of startup operations, the permit holder shall conduct stack sampling of EPN CU/STK for SO_2 and EPN CU/STK/AN for PM, PM_{10}, CO, SO_2, Pb, As, Ag, Cd, copper dust, copper fume, and manganese oxide Additionally, the permit holder shall submit CEMS data collected during the stack test of 1-hour and 6-hour in stack concentrations of SO_2.

CONTINUOUS EMISSIONS/OPACITY MONITORING SYSTEMS (CEMS/COMS)

13~~12~~. The holder of this permit shall install, calibrate, and maintain a CEMS to measure and record the in-stack concentration of SO_2 and the volumetric flow in the acid plants stack.

A. The CEMS shall meet the design and performance specifications, pass the field tests, and meet the installation requirements and the data analysis and reporting requirements specified in Performance Specification No. 2, 40 CFR Part 60, Appendix B. The EPA Reference Method 6 (40 CFR Part 60, Appendix A) shall be used for the Relative Accuracy Test Procedure under Performance Specification No. 2 for SO_2 concentration.

For purposes of the performance evaluation, each concentration measurement shall be of one-hour duration.

B. The system shall be zeroed and spanned daily and corrective action taken whenever the 24-hour zero drift or 24-hour span drift exceeds 5 percent of the reference value.

C. The CEMS shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) each successive 15-minute period. The monitoring data shall be reduced to clock hourly averages at least once each day. Data recorded during periods of CEMS breakdowns, repairs, calibration checks, and zero and span adjustments shall not be included in the data averages required by this special condition. The individual average concentrations shall be reduced to units of the permit allowable emission rate in lb/hr at least once every week.

D. The monitoring data also shall be reduced to six-hour block averages each day for the four consecutive six-hour periods of each operating day. Each six-hour average shall be determined as the arithmetic mean of the appropriate six contiguous one-hour average SO_2 concentrations determined under paragraph C above.

E. The CEMS shall be quality-assured at least once each calendar quarter in accordance with 40 CFR Part 60, Appendix F, Procedure 1, § 5.1.2. All cylinder gas audit exceedances of ±15 percent accuracy shall be followed with corrective action.

14~~11~~. The holder of this permit shall install, calibrate, and maintain a COMS in (1) the flue exiting the fluid bed concentrate dryer baghouse and (2) the flue exiting the converter building ventilation baghouse.

A. Each COMS shall meet the design and performance specifications, pass the field tests, and meet the installation requirements and data analysis and reporting requirements specified in Performance Specification No. 1, 40 CFR Part 60, Appendix B, for COMS installed after March 30, 1983.

B. Each COMS must allow for the measurement of zero and span calibration drifts at least once every 24 hours by using a method for producing a simulated zero opacity condition and an upscale (span) opacity condition using a certified neutral density filter or other related technique to produce a known obscuration of the light beam. The optical surfaces exposed to the effluent gases shall be cleaned prior to performing any zero and span drift adjustments, except that for systems using automatic zero adjustments the optical surfaces shall be cleaned when the cumulative automatic zero compensation exceeds four percent opacity.

C. The span of each instrument shall be set at 80 to 100 percent opacity.

D. Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required by this special condition, each COMS shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive six-minute period. The six-minute averages shall be based on a minimum of 36 data points equally spaced over each six-minute period.

COMPLIANCE CONDITIONS

15~~14~~. Continuous monitoring records generated pursuant to Special Condition Nos. ~~12~~ 13 and ~~13~~ 14 may be used to determine compliance with the conditions of this permit.

16~~15~~. Emissions occurring during upsets and during periods of start-up or shutdown associated with maintenance activities are not violations of the TCEQ rules, the intent of the TCAA, or this permit if: (a) the permit holder has provided any notices and reports required by Special Condition Nos. ~~25~~ 26 and ~~26~~ 27; (b) the emissions were not reasonably avoidable; and (c) corrective actions were taken, as soon as practicable. **(2/99)**

PROCESS DESIGN REQUIREMENTS

17~~16~~. As represented by the applicant, the following will occur:

A. All hooding, duct work, and collection systems will be constructed so that these systems effectively capture fugitive emissions.

B. All ConTop holding furnace slag skimming operations will be conducted under hooding designed to capture 95 percent or more of associated fugitive emissions, and the hooding will be vented to the converter building ventilation baghouse.

C. Matte tapping will be conducted in enclosed tunnels ventilated to the converter building ventilation baghouse.

D. All outdoor conveyor-to-conveyor material transfer points downstream of the bedding building will be controlled with enclosed chutes, and both the inlet and discharge of each chute will be equipped with rubber skirting fitted to just clear the material load on each belt. Water sprays will be installed on all such transfer points up to Belt No. 32 and will be operated, as necessary, to prevent visible emissions.

E. Conveyor-to-hopper or rotary-feeder transfer points will be enclosed, with their inlets equipped with a rubber skirt fitted to just clear the material on the belt and their discharges sealed to the receiving hopper or rotary feeder.

F. Wet concentrate storage bin-to-belt transfer points will be totally enclosed.

G. All transfer, discharge, and drop points in the reactor feed distribution system will be completely enclosed and ventilated to a local baghouse and then to the converter building ventilation baghouse.

H. The raw material screen and delumper equipment will be installed in an enclosed structure. This structure will be maintained under negative pressure and vented to a baghouse whenever the equipment is operating.

I. Handling of waste heat boiler dust will be conducted by drag-conveying the dust to covered tote boxes or equivalent structures for transport to the unloading building. Removal and transferring of waste heat boiler dust will be conducted in such a manner as to minimize material from becoming airborne.

J. Removal of accumulated solids in the converter and ConTop furnace spray chambers must be accomplished in an enclosed area ventilated through the converter building ventilation baghouse.

K. Dust collected in the ConTop ESP Cottrell will be drag and screw conveyed in an enclosed conveyance to the pugmill facility. The pugmill facility must be ventilated through a baghouse.

L. The fluid bed dryer heater, ConTop furnace holding fire system, No. 2 Acid Plant Preheater, wastewater treatment plant spray dryer preheater, and wastewater treatment plant boiler will be equipped with Low-NO_x burners. For the purposes of this special condition, Low-NO_x burners means burners designed and guaranteed by their manufacturer(s) to generate no more than 0.1 lb of NO_x per million Btu of natural gas burned.

FUGITIVE DUST CONTROLS

18~~17~~. As represented by the applicant, the following will occur:

A. All paved roads will be swept/watered at least once each day unless prevented or rendered unnecessary by weather conditions.

B. The permit holder will maintain and operate at least one water-spraying truck for use on unpaved road surfaces. **(1/02)**

C. All unpaved areas/roads not controlled with an automatic sprinkler system will be sprayed by water truck at least once daily and with a minimum coverage of at least 0.1 inch of water containing the manufacturer recommended concentration of chemical dust suppressant, unless such spraying operations are prevented or rendered unnecessary by weather conditions. The only exception is the unpaved road east of the railroad tracks on the east side of the plant. **(1/02)**

D. The slag haul trucks will not exceed an average speed of 5 mph. No other trucks, except pickup trucks, operating on the plant site will exceed an average speed of 10 mph. The speed limit for all other vehicles will be 25 mph. These speed limits will be posted plant-wide as necessary to ensure driver awareness.

E. The beds of all trucks transporting dusty materials to and from the plant site will be covered.

F. During times of temporary cessation of operations, the control of fugitive emissions from paved and unpaved roads and/or areas shall follow the following schedule in lieu of Paragraph A, B and C: **(1/02)**

(1.) Sections of paved roads/areas that are used by vehicle traffic shall be swept/watered at least once per month, or as necessary to minimize fugitive dust emissions. **(1/02)**

(2) Sections of unpaved roads/areas that are used by vehicle traffic shall be sprayed with water and/or chemical dust suppressant at least once per month, or as necessary to minimize fugitive dust emissions. If an unpaved area/road becomes disturbed by vehicle traffic or the crust on the dust becomes compromised, that disturbed area/road shall be sprayed with water and/or chemical dust suppressant as soon as possible to minimize fugitive dust emissions. **(1/02)**

WORK PRACTICE REQUIREMENTS

19~~18~~. As represented by the applicant, the following will occur:

A. Except as otherwise specifically provided in this permit, all air pollution abatement equipment, including hooding and duct work for the capture of fugitive emissions, will be properly maintained and operated during normal operation of the facilities authorized by this permit. Air pollution abatement equipment will be considered properly maintained and operated when operated in such a manner that the facility is capable of operating within the limits established by the TCEQ rules and this permit. Normal operation of facilities include any operation other than those described in Special Condition No. ~~15~~ 16 . Proper maintenance for hooding and duct work means the prevention or prompt repair of holes, cracks, and other conditions that would reduce the effectiveness of the emission capture system.

B. Baghouse dust will be collected in enclosed and/or covered containers or conveyance systems. All baghouse dust drop points will be totally enclosed. Disposal of baghouse dust must be accomplished in a manner that will minimize the dust from becoming airborne. There will be no outside storage of baghouse dust unless in sealed containers.

C. Replaced or used baghouse bags will be disposed of in a manner that will minimize any dust from becoming airborne.

D. The holder of this permit will maintain a sufficient supply of spare bags for all baghouses at all times on the plant site.

OPERATIONAL LIMITATIONS

20~~19~~. As represented by the applicant, the following will occur:

~~A. The lead plant will not be operated unless authorized in advance by the TCEQ. The zinc plant may no longer be operated at all.~~

A ~~B~~. During holding fire operations, emissions from the ConTop reactors/furnace system will be ventilated through the ConTop Cottrell ESP to the center of the 828-foot main stack.

B ~~C~~. The melting of copper-bearing materials in the converters is authorized, provided that the limits established in Special Condition No. 1 are met. **(2/99)**

C. Receipt and processing of East Helena matte and speiss at the El Paso site is not authorized.

PRODUCTION/THROUGHPUT LIMITATIONS

21~~20~~. The holder of this permit will not exceed the following production limits:

A. No more than 152,000 tons per year (tpy) of copper;

B. The production of fuming H_2SO_4 is prohibited;

C. With regard to outdoor matte pouring and reclaim activities;

(1) the capacity of no more than two matte ladles shall be poured in any single hour;

(2) no more than 75 tons of matte shall be reclaimed in any single hour; and

(3) no more than 18,500 tons of matte shall be poured and reclaimed per calendar year.

FUEL USAGE LIMITATIONS

22~~21~~. As represented by the company in the application the converter holding fire burners, the acid plant preheaters, anode furnaces, wastewater treatment plant boiler, and spray dryer will be fueled exclusively by sweet natural gas. The smelting furnace, two power boilers, and fluid bed concentrate dryer will also be fueled by sweet natural gas, except during any periods of natural gas supply curtailment, in which case fuel oil containing no more than 0.3 percent sulfur may be burned up to 504 hr/yr. Use of any other fuel will require prior approval of the Executive Director of the TCEQ.

For purposes of this special condition, natural gas is considered "sweet" if it contains no more than 0.25 grain of H_2S per 100 standard cubic feet (scf).

23~~22~~. The combined flow rate of natural gas to the facilities listed in Special Condition No. ~~21~~ 22 shall not exceed 2,800 million scf in a calendar year.

24~~23~~. Subject to the limitations of Special Condition No. ~~21~~ 22, the holder of this permit may burn fuel oil up to 475,000 gallons per calendar year.

REPORTING REQUIREMENTS

25~~24~~. Not later than 30 days after the end of each calendar quarter, the holder of this permit shall submit to the TCEQ a written report documenting all periods of excess emissions and CEMS or COMS downtime as required by 40 CFR Part 60.7(c) and (d). A short-form report may be used under the circumstances provided in those rules. For purposes of this condition, excess emissions shall be defined as all periods during which the six-hour block average SO_2 concentration monitored in the acid plants stack exceeded 500 ppmv and all six-minute periods during which the opacity monitored in the fluid bed dryer outlet exceeded 10 percent or the converter building ventilation baghouse outlet exceeded 15 percent. The report shall also include the results of the quarterly cylinder gas audits required by Special Condition No. ~~12E~~ 13E.

NOTIFICATION REQUIREMENTS

26~~25~~. As soon as practicable, but not later than 24 hours, after the permit holder discovers that an unscheduled occurrence or excursion of a process or operation at a facility covered by this permit has resulted in an unauthorized emission of air contaminants, the permit holder shall make the determination required by 30 TAC § 101.201(a)(1)(A). If the permit holder determines that a reportable upset has occurred, then the permit holder shall comply with the notification requirements of 30 TAC § 101.201(a)(1)(B). **(2/99)**

27~~26~~. The permit holder shall notify the TCEQ Regional Office and the El Paso City-County Health and Environmental District in writing at least 10 days before any planned maintenance, start-up, or shutdown which is expected to cause an unauthorized emission that equals or exceeds a reportable quantity in any 24-hour period. If a 10-day notice cannot be given due to an unplanned occurrence, notice shall be given as soon as practical prior to the maintenance, start-up, or shutdown. In the event that any maintenance, start-up, or shutdown results in an unexpected unauthorized emission, the permit holder shall comply with Special Condition No. ~~25~~ 26. **(2/99)**

MATERIALS SAMPLING REQUIREMENTS

28~~27~~. The holder of this permit shall:

A. Collect daily grab samples of copper matte and any lead matte charged to the converters.

B. Each calendar month, prepare a composite copper matte and a composite lead matte sample from those collected each day and analyze the composites using the

EPA RM 108A, B, or C (40 CFR Part 61, Appendix B) to determine the weight-percent of inorganic arsenic in each composite sample.

C. Calculate the converter arsenic charge rate once per month using the following equation:

$$R_c = \sum_{I=1}^{n} \frac{A_c W_{ci} + A_l W_{li}}{100\ H_c}$$

Where:

R_c is the converter arsenic charging rate (kg/hr).

A_c is the monthly average weight percent of arsenic in the matte charged during the month as determined under paragraph (B) of this special condition.

A_l is the monthly average weight-percent of arsenic in the lead matte charged during the month as determined under paragraph (B) of this special condition.

W_{ci} is the total weight of copper matte charged to a copper converter during the month (kg).

W_{li} is the total weight of lead matte charged to a copper converter during the month (kg).

H_c is the total number of hours the copper converter department was in operation during the month (hrs).

n is the number of copper converters in operation during the month.

D. Determine an annual arsenic charging rate for the copper converter department once per month by computing the arithmetic average of the 12 monthly converter arsenic charging rate values (R_c) for the preceding 12-month period.

E. The permit holder shall submit a written report to the TCEQ Executive Director postmarked by January 30 of each year which documents the monthly calculations of the annual converter arsenic charging rate for the previous calendar year. If for any year the annual average arsenic charge rate to the converters exceeds 75 kg/hr, the report shall also include a plan for compliance with all applicable requirements of 40 CFR Part 61, Subpart O.

F. The permit holder may petition the EPA Administrator and the TCEQ Executive Director for a modified sampling and analysis schedule if analyses performed for the first 12-month period after the date of ConTop process operations show that the annual average arsenic charge rate to the converters is substantially below 75 kg/hr.

RECORDKEEPING REQUIREMENTS

29~~28~~. Records shall be maintained on:

A. The occurrence and duration of any start-up, shutdown, or malfunction of any facility under this permit;

B. Any malfunction of air pollution control equipment;

C. All maintenance and repair activities undertaken with respect to air pollution control equipment;

D. Any period during which a CEMS or COMS required by this permit is inoperative; and

E. The monitoring and quality-assurance data required by Special Condition Nos. ~~12~~ 13 and ~~13~~ 14.

F. Records shall be maintained on:

(1) number of matte pouring events and amount poured per event;
(2) date and time of each pouring event;
(3) tons of matte poured outdoors per calendar year; and
(4) amount and time required to reclaim matte material.

These records shall be maintained for a period of at least three years and made available for inspection upon request to personnel of the TCEQ or the El Paso City-County Health and Environmental District.

30~~29~~. Records shall be maintained of the cumulative annual amount of natural gas burned in the facilities listed in Special Condition No. ~~21~~ 22 starting on January 1 of each year. Such records must be maintained for at least two years following the calendar year in which they were created and must be made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

31~~30~~. Records shall be maintained of the cumulative annual amount of fuel oil burned in the facilities listed in Special Condition No. ~~21~~ 22 starting on January 1 of each year. Such records must be maintained for a period of at least two years following the calendar year in which they were created and must be made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

32~~31~~. Records shall be maintained on the following parameters: the tonnage of anode copper produced each calendar year.

Such records must be maintained for a period of at least two years following the calendar year in which they were created and must be made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

33~~32~~. Records shall be maintained on the shifts of operation of sweeper or watering trucks and the reason(s) for not sweeping and/or watering at least one shift each day. Such records shall be maintained for a period of at least three years following the day in which they were generated and made available for inspection upon request by the TCEQ or the El Paso City-County Health and Environmental District.

CONTEMPORANEOUS REDUCTION

34~~33~~. To show compliance with Federal non-attainment requirements, the following table will be used:

Summary of Emissions

in tpy

Pollutant	Pre-ConTop	CurrentPermit Allowable	Net
NOx	638.20	220.85	<-417.35>

PERMIT RENEWAL

35. This permit shall be effective for 5 years from the renewal date shown below.

Dated _____