

**Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Environmental Protection
Division for Air Quality
300 Sower Boulevard, 2nd Floor
Frankfort, Kentucky 40601
(502) 564-3999**

Draft

**AIR QUALITY PERMIT
Issued under 401 KAR 52:030**

**Permittee Name: The Hillshire Brands Company
Mailing Address: 1099 Bob Huber Drive, Alexandria, KY 41001**

**Source Name: Hillshire Brands - Claryville Plant
Mailing Address: 1099 Bob Huber Drive, Alexandria, KY 41001**

Source Location: Same as above

**Permit ID: F-23-034
Agency Interest #: 586
Activity ID: APE20230003
Review Type: Conditional Major, Operating
Source ID: 21-037-00074**

**Regional Office: Florence Regional Office
8020 Veterans Memorial Drive, Suite 110
Florence, KY 41042
(859) 525-4923**

County: Campbell

**Application
Complete Date: October 26, 2023
Issuance Date:
Expiration Date:**

**For Michael J. Kennedy, P.E.
Director
Division for Air Quality**

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Permit	Permit Type	Activity#	Complete Date	Issuance Date	Summary of Action
F-23-034	Renewal	APE20230003	10/26/2023		Renewal; Removing EU 20 & 21

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Energy and Environment Cabinet (Cabinet) hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit was issued under the provisions of Kentucky Revised Statutes (KRS) Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emission Units 01, 02, & 03 Three Natural Gas Fired Indirect Heat Exchangers

Description:

Rated Capacity: 8.37 MMBtu/hr each

Manufacturer: Cleaver Brooks

Construction Date: 1985

APPLICABLE REGULATIONS:

401 KAR 59:015, *New indirect heat exchangers*

1. Operating Limitations:

During a startup period or a shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 59:015, Section 7. [401 KAR 59:015, Section 7]

- a. The permittee shall comply with 401 KAR 50:055, Section 2(5) [401 KAR 59:015, Section 7(1)(a)].
- b. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility [401 KAR 59:015, Section 7(1)(b)].
- c. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods [401 KAR 59:015, Section 7(1)(c)].
- d. The permittee shall document actions, including duration of the startup period, during startup periods and shutdown periods by signed, contemporaneous logs or other relevant evidence [401 KAR 59:015, Section 7(1)(d)].
- e. Startups and shutdowns shall be conducted according to either: [401 KAR 59:015, Section 7(1)(e)]
 - i. The manufacturer's recommended procedures; or [401 KAR 59:015, Section 7(1)(e)1.]
 - ii. Recommended procedures for a unit of similar design, for which manufacturer's recommended procedures are available, as approved by the cabinet based on documentation provided by the owner or operator of the affected facility [401 KAR 59:015, Section 7(1)(e)2.].

Compliance Demonstration:

Compliance shall be demonstrated according to **5. Specific Recordkeeping Requirements** (a).

2. Emission Limitations:

- a. Particulate matter (PM) emissions shall not exceed 0.45 lb/MMBtu for each boiler [401 KAR 59:015, Section 4(1)(c)]

Compliance Demonstration:

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

The permittee is assumed to be in compliance with the 401 KAR 59:015 PM emission standard [401 KAR 50:045, Section 4(3)(c)1.].

- b. Emissions shall not exceed 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
 - i. A maximum of 40 percent opacity shall be allowed for a maximum of 6 consecutive minutes in any 60 consecutive minutes during fire box cleaning or soot blowing; and [401 KAR 59:015, Section 4(2)(b)]
 - ii. For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations [401 KAR 59:015, Section 4(2)(c)].

Compliance Demonstration:

The permittee is assumed to be in compliance with the 401 KAR 59:015 opacity standard [401 KAR 50:045, Section 4(3)(c)1.].

- c. Sulfur dioxide (SO₂) emissions from each unit shall not exceed 2.06 lb/MMBtu [401 KAR 59:015 Section, 5(1)(c)2.b.].

Compliance Demonstration:

The permittee is assumed to be in compliance with the 401 KAR 59:015 SO₂ standard [401 KAR 50:045, Section 4(3)(c)1.].

- d. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide VOC emission limitations.

3. Testing Requirements:

Testing shall be conducted at such times as may be requested by the cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.

4. Specific Monitoring Requirements:

The permittee shall monitor the combined amount of natural gas (MMscf) used on a monthly basis [401 KAR 52:030, Section 10].

5. Specific Recordkeeping Requirements:

- a. The permittee shall keep records of the manufacturer's recommended procedures for startup and shutdown, any instance in which the recommended procedures were not followed, and any corrective actions taken [401 KAR 52:030, Section 10].
- b. The permittee shall record and maintain records of the amount of natural gas (MMscf) used by the boilers on a monthly basis [40 CFR 60.48c(g)(2) and 401 KAR 52:030, Section 10].

6. Specific Reporting Requirements:

See **Section F – Monitoring, Recordkeeping, and Reporting Requirements.**

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Units 04 & 12 Continuous Smokehouse Ovens 1 and 2

Description:

Units 04 and 12 – Continuous Smokehouse 1 and 2
Rated natural gas capacity: 1.65 MMBtu/hr each
Meat process rate: 7,200 lbs/hr each
Manufacturer: Alkar
Construction Date: 1984

Emission Units 25 & 26 Liquid Smoke Units

Description:

Units 25 and 26 – Liquid Smoke Units (Before Continuous Smokehouses 1 and 2)
Meat process rate: 7,200 lbs/hr each
Manufacturer: Red Arrow
Construction Date: 2003

APPLICABLE REGULATIONS:

401 KAR 59:010, *New process operations*

STATE-ORIGIN REQUIREMENTS:

401 KAR 63:020, *Potentially hazardous matter or toxic substances*

1. Operating Limitations:

None

2. Emission Limitations:

- a. Persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants [401 KAR 63:020, Section 3].

Compliance Demonstration:

Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020.

- b. The permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter which is in excess of the quantity specified in the table below: [401 KAR 59:010, Section 3(2)]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

P = Process Weight Rate (tons/hr)	E = Allowable Particulate Emission Rate (lb/hr)
P < 0.5	E = 2.34
0.5 ≤ P ≤ 30	E = 3.59P ^{0.62}
P > 30	E = 17.31P ^{0.16}

Compliance Demonstration:

These units are considered to be in compliance with the allowable 401 KAR 59:010 PM limitations while burning natural gas and cooking meat.

- c. The permittee shall not cause, suffer, allow, or permit any continuous emission into the open air from a control device or stack associated with any affected facility which is equal to or greater than 20 percent opacity [401 KAR 59:010, Section 3(1)(a)].

Compliance Demonstration:

These units are considered to be in compliance with the allowable 401 KAR 59:010 opacity limitations while burning natural gas and cooking meat.

- d. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide VOC emission limitations.

3. Testing Requirements:

Testing shall be conducted at such times as may be requested by the cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of natural gas used (MMscf), meat processed (tons), VOC flavoring in the meat, the percent VOC content of each flavor, and hours of operation by the ovens on a monthly basis [401 KAR 52:030, Section 10].

5. Specific Recordkeeping Requirements:

The permittee shall record the amount of natural gas used (MMscf), meat processed (tons), VOC flavoring in the meat, the percent VOC content of each flavor, and hours of operation by the ovens on a monthly basis [401 KAR 52:030, Section 10].

6. Specific Reporting Requirements:

See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission Units 05, 06, 07, 08, 09, & 18

Batch Meat Smokehouse Ovens

Description:

EU 05-09 & 18 (Hot Dogs)
Rated natural gas capacity: 2.75 MMBtu/hr each
Meat process rate: 1,367 lbs/hr each
Wood capacity: 30 lbs/hr
Manufacturer: Alkar
Construction Date: 1984-1985

Emission Units 10, 11, & 13, 14, 15, 16

Batch Meat Smokehouse Ovens

Description:

EU 10, 11, & 13-16 (Deli Meat)
Rated natural gas capacity: 3.85 MMBtu/hr each
Meat process rate: 2,317 lbs/hr each
Wood capacity: 30 lbs/hr
Manufacturer: Alkar
Construction Date: 1986-1987

APPLICABLE REGULATIONS:

401 KAR 59:010, *New process operations*

STATE-ORIGIN REQUIREMENTS:

401 KAR 63:020, *Potentially hazardous matter or toxic substances*

1. Operating Limitations:

- a. The amount of wood burned on an annual basis shall not exceed 607 tons of wood per year through points 05-09, 10, 11, 13-16, and 18 combined. This is a self-imposed limit to preclude the applicability of 401 KAR 52:020.

2. Emission Limitations:

- a. Persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants [401 KAR 63:020, Section 3].

Compliance Demonstration:

Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- b. The permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter which is in excess of the quantity specified in the table below: [401 KAR 59:010, Section 3(2)]

P = Process Weight Rate (tons/hr)	E = Allowable Particulate Emission Rate (lb/hr)
P < 0.5	E = 2.34
0.5 ≤ P ≤ 30	E = 3.59P ^{0.62}
P > 30	E = 17.31P ^{0.16}

Compliance Demonstration:

Compliance with the PM emission limit is demonstrated by the PM emission factor (EF) of wood determined from the 30 (lb/tons) * the throughput of wood (tons) per month / the hours of operation per month.

- c. The permittee shall not cause, suffer, allow, or permit any continuous emission into the open air from a control device or stack associated with any affected facility which is equal to or greater than 20 percent opacity [401 KAR 59:010, Section 3(1)(a)].

Compliance Demonstration:

Compliance with the allowable 401 KAR 59:010 opacity limitations is demonstrated by the following:

- i. Compliance is assumed while only natural gas is burning and no wood is being burned.
 - ii. While wood is being burned, compliance is demonstrated by **4. Specific Monitoring Requirements b.** and **5. Specific Recordkeeping Requirements b.**
- d. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide VOC emission limitations.

3. Testing Requirements:

Testing shall be conducted at such times as may be requested by the cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.

4. Specific Monitoring Requirements:

- a. The permittee shall monitor the wood burned (tons), meat processed (tons), and the amount of natural gas (MMscf) used on a monthly basis [401 KAR 52:030, Section 10].
- b. While burning wood, the permittee shall perform a qualitative visual observation of the opacity of emissions at each stack no less than weekly. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Method 9, the permittee shall immediately perform a corrective action which

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

results in no visible emissions (not including condensed water in the plume) [401 KAR 52:030, Section 10].

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of the amount of wood burned (tons), meat processed (tons), and the amount of natural gas used (MMscf) on a monthly basis [401 KAR 52:030, Section 10].
- b. The permittee shall maintain a log of the visual observations noting date, time, and records of corrective actions taken as a result of visible emissions from a stack and records of any U.S. EPA Reference Method 9 readings performed [401 KAR 52:030, Section 10].

6. Specific Reporting Requirements:

See **Section F – Monitoring, Recordkeeping, and Reporting Requirements.**

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Units 22 & 23****Two Indirect Heat Exchangers****Description:**

Primary fuel is natural gas. Secondary fuel is propane.
Rated natural gas capacity: 12.56 MMBtu/hr each
Manufacturer: Cleaver Brooks
Construction Date: 2004

APPLICABLE REGULATIONS:

401 KAR 59:015, *New indirect heat exchangers*

401 KAR 60:005, Section 2(2)(d), 40 C.F.R. 60.40c through 60.48c (Subpart Dc), *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*

1. Operating Limitations:

During a startup period or a shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 59:015, Section 7: [401 KAR 59:015, Section 7]

- a. The permittee shall comply with 401 KAR 50:055, Section 2(5) [401 KAR 59:015, Section 7(1)(a)].
- b. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility [401 KAR 59:015, Section 7(1)(b)].
- c. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods [401 KAR 59:015, Section 7(1)(c)].
- d. The permittee shall document actions, including duration of the startup period, during startup periods and shutdown periods by signed, contemporaneous logs or other relevant evidence [401 KAR 59:015, Section 7(1)(d)].
- e. Startups and shutdowns shall be conducted according to either: [401 KAR 59:015, Section 7(1)(e)]
 - i. The manufacturer's recommended procedures; or [401 KAR 59:015, Section 7(1)(e)1.]
 - ii. Recommended procedures for a unit of similar design, for which manufacturer's recommended procedures are available, as approved by the cabinet based on documentation provided by the owner or operator of the affected facility [401 KAR 59:015, Section 7(1)(e)2.].

Compliance Demonstration:

Compliance shall be demonstrated according to **5. Specific Recordkeeping Requirements** (a).

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

2. Emission Limitations:

- a. Particulate matter (PM) emissions shall not exceed 0.38 lb/MMBtu for each boiler [401 KAR 59:015, Section 4(1)(c)]

Compliance Demonstration:

The permittee is assumed to be in compliance with the 401 KAR 59:015 PM emission standard while burning natural gas [401 KAR 50:045, Section 4(3)(c)1.].

- b. Emissions shall not exceed 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
 - i. A maximum of 40 percent opacity shall be allowed for a maximum of 6 consecutive minutes in any 60 consecutive minutes during fire box cleaning or soot blowing; and [401 KAR 59:015, Section 4(2)(b)]
 - ii. For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations [401 KAR 59:015, Section 4(2)(c)].

Compliance Demonstration:

The permittee is assumed to be in compliance with the 401 KAR 59:015 opacity standard while burning natural gas [401 KAR 50:045, Section 4(3)(c)1.].

- c. Sulfur dioxide (SO₂) emissions from each unit shall not exceed 1.23 lb/MMBtu [401 KAR 59:015 Section, 5(1)(c)2.b.].

Compliance Demonstration:

The permittee is assumed to be in compliance with the 401 KAR 59:015 opacity standard while burning natural gas [401 KAR 50:045, Section 4(3)(c)1.].

- d. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide VOC emission limitations.

3. Testing Requirements:

Testing shall be conducted at such times as may be requested by the cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of natural gas (MMscf) and propane (gallons) used by all boilers combined on a monthly basis [401 KAR 52:030, Section 10 and 40 CFR 60.48c(g)].

5. Specific Recordkeeping Requirements:

- a. The permittee shall keep records of the manufacturer's recommended procedures for startup and shutdown, any instance in which the recommended procedures were not followed, and any corrective actions taken [401 KAR 52:030, Section 10].

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- b. The permittee shall maintain records of the amount of natural gas (MMscf) and propane (gallons) used by all boilers combined on a monthly basis [40 CFR 60.48c(g)(2) and 401 KAR 52:030, Section 10].
- c. The permittee shall maintain records required by 40 CFR 60, Subpart Dc for a period of two years following the date of such record [40 CFR 60.48c(i)].

6. Specific Reporting Requirements:

- a. The reporting period for the reports required under 40 CFR 60, Subpart Dc is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period [40 CFR 60.48c(j)].
- b. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements.**

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 24****Hot Water Heater (Direct-fired heat exchanger)****Description:**

Primary fuel is natural gas. Secondary fuel is propane.
Rated natural gas capacity: 16 MMBtu/hr each
Manufacturer: Quick Water
Construction Date: 2007

APPLICABLE REGULATIONS:

401 KAR 59:010, *New process operations*

STATE-ORIGIN REQUIREMENTS:

401 KAR 63:020, *Potentially hazardous matter or toxic substances*

1. Operating Limitations:

None

2. Emission Limitations:

- a. Persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants [401 KAR 63:020, Section 3].

Compliance Demonstration:

Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020.

- b. The permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter which is in excess 2.34 lbs/hr [401 KAR 59:010, Section 3(2)].

Compliance Demonstration:

This unit is considered to be in compliance with the allowable 401 KAR 59:010 PM limitations while burning natural gas.

- c. The permittee shall not cause, suffer, allow, or permit any continuous emission into the open air from a control device or stack associated with any affected facility which is equal to or greater than 20 percent opacity [401 KAR 59:010, Section 3(1)(a)].

Compliance Demonstration:

This unit is considered to be in compliance with the allowable 401 KAR 59:010 opacity limitations while burning natural gas.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

d. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide VOC emission limitations.

3. Testing Requirements:

Testing shall be conducted at such times as may be requested by the cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of natural gas (MMscf) and propane (gallons) used by the unit on a monthly basis [401 KAR 52:030, Section 10].

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the amount of natural gas (MMscf) and propane (gallons) used by the unit on a monthly basis [401 KAR 52:030, Section 10].

6. Specific Reporting Requirements:

See **Section F - Monitoring, Recordkeeping, and Reporting Requirements**.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 27****Indirect Heat Exchanger****Description:**

Primary fuel is natural gas. Secondary fuel is propane.
Rated capacity: 20.4 MMBtu/hr
Manufacturer: Cleaver Brooks
Construction Date: 2009

APPLICABLE REGULATIONS:

401 KAR 59:015, *New indirect heat exchangers*

401 KAR 60:005, Section 2(2)(d), 40 C.F.R. 60.40c through 60.48c (Subpart Dc), *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*

1. Operating Limitations:

- a. The permittee shall comply with 401 KAR 50:055, Section 2(5) [401 KAR 59:015, Section 7(1)(a)].
- b. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility [401 KAR 59:015, Section 7(1)(b)].
- c. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods [401 KAR 59:015, Section 7(1)(c)].
- d. The permittee shall document actions, including duration of the startup period, during startup periods and shutdown periods by signed, contemporaneous logs or other relevant evidence [401 KAR 59:015, Section 7(1)(d)].
- e. Startups and shutdowns shall be conducted according to either: [401 KAR 59:015, Section 7(1)(e)]
 - i. The manufacturer's recommended procedures; or [401 KAR 59:015, Section 7(1)(e)(1)]
 - ii. Recommended procedures for a unit of similar design, for which manufacturer's recommended procedures are available, as approved by the cabinet based on documentation provided by the owner or operator of the affected facility [401 KAR 59:015, Section 7(1)(e)(2)]

Compliance Demonstration:

Compliance shall be demonstrated according to **5. Specific Recordkeeping Requirements** (a).

2. Emission Limitations:

- a. Particulate matter (PM) emissions shall not exceed 0.38 lb/MMBtu [401 KAR 59:015, Section 4(1)(c)]

Compliance Demonstration:

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

The permittee is assumed to be in compliance with the 401 KAR 59:015 PM emission standard [401 KAR 50:045, Section 4(3)(c)1.].

- b. Emissions shall not exceed 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
 - i. A maximum of 40 percent opacity shall be allowed for a maximum of 6 consecutive minutes in any 60 consecutive minutes during fire box cleaning or soot blowing; and [401 KAR 59:015, Section 4(2)(b)].
 - ii. For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations [401 KAR 59:015, Section 4(2)(c)].

Compliance Demonstration:

The permittee is assumed to be in compliance with the 401 KAR 59:015 opacity standard [401 KAR 50:045, Section 4(3)(c)1.].

- c. Sulfur dioxide (SO₂) emissions shall not exceed 1.23 lb/MMBtu [401 KAR 59:015 Section, 5(1)(c)2.b.].

Compliance Demonstration:

The permittee is assumed to be in compliance with the 401 KAR 59:015 opacity standard [401 KAR 50:045, Section 4(3)(c)1.].

- d. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide VOC emission limitations.

3. Testing Requirements:

Testing shall be conducted at such times as may be requested by the cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of natural gas (MMscf) and propane (gallons) used by the unit on a monthly basis [401 KAR 52:030, Section 10 and 40 CFR 60.48c(g)].

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of the amount of natural gas (MMscf) and propane (gallons) used on a monthly basis [401 KAR 52:030, Section 10 and 40 CFR 60.48c(g)(2)].
- b. The permittee shall keep records of the manufacturer's recommended procedures for startup and shutdown, any instance in which the recommended procedures were not followed, and any corrective actions taken [401 KAR 52:030, Section 10].
- c. The permittee shall maintain records required by 40 CFR 60, Subpart Dc for a period of two years following the date of such record [40 CFR 60.48c(i)].

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. Specific Reporting Requirements:

See Section F - Monitoring, Recordkeeping, and Reporting Requirements.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 28****Existing Emergency Generator Engine****Description:**

Diesel fuel electrical generator
Rated capacity: 380 hp
Manufacturer: Cummins
Construction Date: 2003

APPLICABLE REGULATIONS:

401 KAR 63:002, Section 2(4)(eeee), 40 C.F.R. 63.6580 to 63.6675, Tables 1a to 8, and Appendix A (Subpart ZZZZ), *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*

1. Operating Limitations:

- a. The permittee shall meet the following requirements for existing stationary RICE located at area sources of HAP emissions as outlined in Table 2d of 40 CFR 63 Subpart ZZZZ: [40 CFR 63.6603(a)]
 - i. Change oil and filter every 500 hours of operation or annually, whichever comes first [40 CFR 63 Subpart ZZZZ, Table 2d 4.].
 - ii. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary [40 CFR 63 Subpart ZZZZ, Table 2d 4.].
 - iii. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary [40 CFR 63 Subpart ZZZZ, Table 2d 4.].
- b. At all times the permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by 40 CFR 63 Subpart ZZZZ have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source [40 CFR 63.6605(b)].
- c. The permittee shall install a non-resettable hour meter if one is not already installed [40 CFR 63.6625(f)].
- d. The permittee shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes [40 CFR 63.6625(h)].

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- e. The permittee has the option of utilizing an oil analysis program in order to extend the oil change requirement in Table 2d of 40 CFR 63 Subpart ZZZZ. The oil analysis must be performed every 500 hours of operation or annually, whichever comes first. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the permittee is not required to change the oil. If any of the limits are exceeded, the permittee shall change the oil before continuing to use the engine. The permittee must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine [40 CFR 63.6625(i)].
- f. The permittee shall demonstrate continuous compliance with the operating limitations in Table 2d of 40 CFR 63 Subpart ZZZZ by utilizing the applicable methods specified in Table 6: [40 CFR 63.6640(a)]
 - i. The permittee must operate and maintain the stationary RICE according to the manufacturer's emission related operation and maintenance; or [40 CFR 63 Subpart ZZZZ, Table 6 9.]
 - ii. Develop and follow a maintenance plan which provides to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions [40 CFR 63 Subpart ZZZZ, Table 6 9.].
- g. The permittee shall operate the emergency stationary RICE according to the requirements in 40 CFR 63.6640(f)(1), (2), and (4). In order for the engine to be considered an emergency stationary RICE under 40 CFR 63 Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 63.6640(f)(1), (2), and (4), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 63.6640(f)(1), (2), and (4), the engine will not be considered an emergency engine under 40 CFR 63 Subpart ZZZZ and shall meet all requirements for non-emergency engines [40 CFR 63.6640(f)].
 - i. There is no time limit on the use of emergency stationary RICE in emergency situations [40 CFR 63.6640(f)(1)].
 - ii. The permittee may operate the emergency stationary RICE for any combination of the purposes specified in 40 CFR 63.6640(f)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 63.6640(f)(4) counts as part of the 100 hours per calendar year allowed by 40 CFR 63.6640(f)(2) [40 CFR 63.6640(f)(2)].
 - 1. Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year [40 CFR 63.6640(f)(2)(i)].

- iii. Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in 40 CFR 63.6640(f)(2). Except as provided in 40 CFR 63.6640(f)(4)(ii), the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity [40 CFR 63.6640(f)(4)].
 1. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [40 CFR 63.6640(f)(4)(ii)]
 - A. The engine is dispatched by the local balancing authority or local transmission and distribution system operator [40 CFR 63.6640(f)(4)(ii)(A)].
 - B. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region [40 CFR 63.6640(f)(4)(ii)(B)].
 - C. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines [40 CFR 63.6640(f)(4)(ii)(C)].
 - D. The power is provided only to the facility itself or to support the local transmission and distribution system [40 CFR 63.6640(f)(4)(ii)(D)].
 - E. The permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine's permittee [40 CFR 63.6640(f)(4)(ii)(E)].

2. Emission Limitations:

See **Section D – Source Emission Limitations and Testing Requirements** for source-wide VOC emission limitations.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

3. Testing Requirements:

Testing shall be conducted at such times as may be requested by the cabinet in accordance with 401 KAR 50:045, Section 1.

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of fuel used (gallons) by the engine on a monthly basis [401 KAR 52:030, Section 10].

5. Specific Recordkeeping Requirements:

- a. The permittee shall keep the following items according to 40 CFR 63.6655(a):
 - i. Records of each notification and report that is submitted [40 CFR 63.6655(a)(1)].
 - ii. Records of the occurrence and duration of each malfunction of operation or the air pollution control and monitoring equipment [40 CFR 63.6655(a)(2)].
 - iii. Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii) [40 CFR 63.6655(a)(3)].
 - iv. Records of all required maintenance performed on the air pollution control and monitoring equipment [40 CFR 63.6655(a)(4)].
 - v. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation [40 CFR 63.6655(a)(5)].
- b. The permittee shall maintain records of the maintenance conducted on each engine in order to demonstrate that the engine was operated and maintained, including any after-treatment control device, according to the maintenance plan for the engine. [40 CFR 63.6655(e)].
- c. If the permittee operates an existing emergency stationary RICE that does not meet the standards applicable to non-emergency engines, the permittee shall keep records of the hours of operation of the engine that are recorded through the non-resettable hour meter. The permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for energy demand response, the permittee must keep records of the notification of the emergency situation, and the time the engine was operated as part of the demand response [40 CFR 63.6655(f) and 6655(f)(2)].

6. Specific Reporting Requirements:

- a. The permittee shall report each instance in which the applicable operating limitations from 40 CFR 63 Subpart ZZZZ were not met. The permittee must report each instance according to the applicable requirements in 40 CFR 63.6650 [40 CFR 63.6640(b)].
- b. See **Section F - Monitoring, Recordkeeping, and Reporting Requirements.**

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 30****Two Parts Washers****Description:**

Two parts washers
Construction Date: January 1984

APPLICABLE REGULATIONS:

401 KAR 59:185, *New solvent metal cleaning equipment*

1. Operating Limitations:

- a. Waste solvent shall not be disposed of or transferred to another party so that greater than twenty (20) percent by weight of the waste solvent can evaporate into the atmosphere. Waste solvent shall be stored only in covered containers [401 KAR 59:185, Section 4(2)(a)].
- b. The degreaser cover shall be closed if not handling parts in the cleaner [401 KAR 59:185, Section 4(2)(b)].
- c. Cleaned parts shall be drained for a minimum of 15 seconds, or until dripping ceases, whichever is longer [401 KAR 59:185, Section 4(2)(c)].
- d. The flushing of parts with a flexible hose or other flushing device shall be performed only within the freeboard area of the cold cleaner. The solvent flow shall be directed downward to avoid turbulence at the air-solvent interface so as to prevent the solvent from splashing outside of the cold cleaner [401 KAR 59:185, Section 4(2)(d)].
- e. Work area fans shall be positioned so that air is not directed across the opening of the cold cleaner [401 KAR 59:185, Section 4(2)(e)].
- f. The use of an air-agitated solvent bath is prohibited. A pump-agitated solvent bath shall be operated so as to produce no observable splashing of the solvent against either the tank wall or the parts that are being cleaned [401 KAR 59:185, Section 4(2)(f)].
- g. The cold cleaner shall be free of all liquid leaks. Auxiliary cleaning equipment such as pumps, water separators, steam traps, or distillation units shall not have any visible leaks, tears, or cracks [401 KAR 59:185, Section 4(2)(g)].
- h. Spills that occur during solvent transfer shall be cleaned immediately. Wipe rags, or other absorbent equipment and materials, used to clean the spill shall be stored in a covered container for disposal unless storage of these items is prohibited by fire protection authorities [401 KAR 59:185, Section 4(2)(h)].
- i. The permittee shall not operate a cold cleaner using a solvent with a vapor pressure that exceeds one (1.0) mm Hg (0.019 psi) measured at 20° C (68° F) [401 KAR 59:185, Section 4(3)(b)].

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

2. Emission Limitations:

See **Section D – Source Emission Limitations and Testing Requirements** for source-wide VOC emission limitations.

3. Testing Requirements:

Testing shall be conducted at such times as may be requested by the cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of solvent cleaner used (recording the name, density, % VOC, and amount used) on a monthly basis [401 KAR 52:030, Section 10].

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of the amount of solvent cleaner used (recording the name, density, % VOC, and amount used) on a monthly basis [401 KAR 52:030, Section 10].
- b. Any individual or entity subject to the provisions of Section 4(3)(b) of 401 KAR 59:185 shall maintain records for a minimum of five (5) years that include the following information for each solvent purchase [401 KAR 59:185, Section 4(4)(b)]:
 - i. The name and address of the solvent supplier [401 KAR 59:185, Section 4(4)(b)(1)];
 - ii. The date of the purchase [401 KAR 59:185, Section 4(4)(b)(2)];
 - iii. The type of solvent [401 KAR 59:185, Section 4(4)(b)(3)];
 - iv. The vapor pressure of the solvent measured in mm Hg at 20° C (68° F) [401 KAR 59:185, Section 4(4)(b)(4)].

6. Specific Reporting Requirements:

See **Section F - Monitoring, Recordkeeping, and Reporting Requirements**.

7. Specific Control Equipment Operating Conditions:

- a. The cleaners shall be equipped with a cover [401 KAR 59:185, Section 4(1)(a)].
- b. The cleaners shall be equipped with a drainage facility so that solvent that drains off parts removed from the cleaner will return to the cleaner [401 KAR 59:185, Section 4(1)(b)].
- c. A permanent, conspicuous label, summarizing the operating requirements specified in **1. Operating Limitations** shall be installed on or near the cleaner [401 KAR 59:185, Section 4(1)(c)].
- d. If used, the solvent spray shall be a fluid stream, not a fine, atomized or shower type spray, and at a pressure that does not cause excessive splashing [401 KAR 59:185, Section 4(1)(d)].

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Units 31 & 32****Freddy Hirsch Processing Lines****Description:**

Meat processing lines including cooking
Maximum rated capacities: 9,000 lbs/hr meat & 58.5 gal/hr liquid smoke per unit
Manufacturer: Freddy Hirsch
Model: 760CW360HT
Construction Date: 4/4/2022

The pre-blended meat product is mixed before being sent to a Cozzini that forms and prepares the product. The product is coextruded with a chilled gel as a maximum rate of 9,000 lbs/hr. The coextruded product is passed through a water cooker for initial cooking. The product leaves the water cooker and into the smoke drench where liquid smoke is applied. The liquid smoke laden product is transferred to the 2 Freddy Hirsch spiral dryers in series. The product leaves the second dryer and goes into a final steam cook before chilling and packaging.

APPLICABLE REGULATIONS:

401 KAR 59:010, *New process operations*

STATE-ORIGIN REQUIREMENTS:

401 KAR 63:020, *Potentially hazardous matter or toxic substances*

1. Operating Limitations:

None

2. Emission Limitations:

- a. Persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants [401 KAR 63:020, Section 3].

Compliance Demonstration:

Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020.

- b. The permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter which is in excess of the quantity specified in the table below: [401 KAR 59:010, Section 3(2)]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

P = Process Weight Rate (tons/hr)	E = Allowable Particulate Emission Rate (lb/hr)
$P < 0.5$	$E = 2.34$
$0.5 \leq P \leq 30$	$E = 3.59P^{0.62}$
$P > 30$	$E = 17.31P^{0.16}$

Compliance Demonstration:

These units are considered to be in compliance with the allowable 401 KAR 59:010 PM limitations based on the emission factors submitted by the facility and accepted by the Division.

- c. The permittee shall not cause, suffer, allow, or permit any continuous emission into the open air from a control device or stack associated with any affected facility which is equal to or greater than 20 percent opacity [401 KAR 59:010, Section 3(1)(a)].

Compliance Demonstration:

These units are considered to be in compliance with the allowable 401 KAR 59:010 opacity limitations based on the emission factors submitted by the facility and accepted by the Division.

- d. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide VOC emission limitations.

3. Testing Requirements:

- a. Testing shall be conducted at such times as may be requested by the cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.
- b. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial start-up of such facility, the permittee shall conduct a performance test to establish a unit specific VOC emission factor. The permittee may elect to test one of the two units, and use the results as representative of Emission Units 31 and 32. Performance testing shall be conducted while processing coarse and emulsified ground meat. Performance testing shall be conducted using U.S. EPA Reference Method 25 for VOC, or other test methods as approved by the Division. This emission rate shall be used in determining the VOC emission factor for calculating source-wide emission per **Section D – Source Emission Limitations and Testing Requirements** [401 KAR 50:045, Section 2].
- c. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial start-up of such facility, the permittee shall conduct a performance test on at least one of the units for Acrolein, and Formaldehyde and use the results as representative of Emission Units 31 and 32. Performance testing shall be conducted while processing coarse and emulsified ground

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

meat. Performance testing shall be conducted using NCASI Method A105 for Acrolein and Formaldehyde, or other test methods as approved by the Division. This emission rate shall be used in determining the Acrolein and Formaldehyde emission factor for calculating source-wide emission per **Section D – Source Emission Limitations and Testing Requirements** [401 KAR 50:045, Section 2].

4. Specific Monitoring Requirements:

The permittee shall monitor the meat throughput (tons) on a monthly basis [401 KAR 52:030, Section 10].

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of meat throughput (tons) on a monthly basis [401 KAR 52:030, Section 10].

6. Specific Reporting Requirements:

See **Section F - Monitoring, Recordkeeping, and Reporting Requirements**.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. Although these activities are designated as insignificant the permittee must comply with the applicable regulation. Process and emission control equipment at each insignificant activity subject to an opacity standard shall be inspected monthly and a qualitative visible emissions evaluation made. Results of the inspection, evaluation, and any corrective action shall be recorded in a log.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Air Make-up Unit #1 (4.28 MMBtu/hr)	N/A
2. Air Make-up Unit #2 (2.97 MMBtu/hr)	N/A
3. HVAC Unit (2.386 MMBtu/hr)	N/A
4. Dehumidification Unit (0.75 MMBtu/hr)	401 KAR 59:010
5. Purge Unit (1.3 MMBtu/hr)	401 KAR 59:010
6. Drenching Cabinet #1 (2006)	401 KAR 59:010 401 KAR 63:020
7. Make-up Air Unit #3 (2006) (3.72 MMBtu/hr)	401 KAR 59:010
8. Drenching Cabinet #2 (2012)	401 KAR 59:010 401 KAR 63:020
9. Storage vessels having less than 10,567 gallons	N/A
10. Comfort Heaters (19) (3.15 MMBtu/hr combined)	N/A
11. Cooling Tower #1	401 KAR 59:010
12. Cooling Tower #2	401 KAR 59:010
13. Cooling Tower #3	401 KAR 59:010
14. Cooling Tower #4	401 KAR 59:010
15. Cooling Tower #5	401 KAR 59:010
16. Cooling Tower #6	401 KAR 59:010
17. Cooling Tower #7	401 KAR 59:010

SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)

18. Large Dehumidifier Units (4) (1 MMBtu/hr combined)	401 KAR 59:010
19. Wastewater Treatment Facility	N/A
20. Cleaners	N/A
21. Sanitizers	N/A
22. Inkjet Printing	N/A
23. Refrigeration Equipment	N/A
24. Air Handling Duct Burner #1-1 (2 MMBtu/hr)	401 KAR 59:010
25. Air Handling Duct Burner #1-2 (2 MMBtu/hr)	401 KAR 59:010
26. Air Handling Duct Burner #2-1 (2 MMBtu/hr)	401 KAR 59:010
27. Air Handling Duct Burner #2-2 (2 MMBtu/hr)	401 KAR 59:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

- As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
- PM, Opacity, and SO₂ emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.
- To preclude the applicability of 401 KAR 52:020, wood usage for 05-11, 13-16 and 18 shall not exceed 607 tons per year based on a 12 month rolling total. The twelve-month rolling total shall be calculated monthly and reported semi-annually (See **Section F - Monitoring, Recordkeeping, and Reporting Requirements**). The permittee shall maintain onsite a log of the 12-month rolling totals.
- To preclude the applicability of 401 KAR 52:020 source-wide emissions of VOC shall not exceed 90 tons per year based on a consecutive 12-month rolling total.

For VOC:

$$VOC \left(\frac{ton(s)}{month} \right) = \sum_x VOC_x$$

$$VOC_x \left(\frac{ton(s)}{month} \right) = EF_x \left(\frac{lb(s)}{SCC_x} \right) \times throughput_x \left(\frac{SCC_x}{month} \right) \times \frac{1}{2000} \left(\frac{ton}{lbs} \right)$$

Emission Units (VOC _x)	Emission Factor (EF)	Emission Factor Basis	Throughput (SCC _x /month)
Source-wide Natural Gas usage	5.5 (lb/MMscf)	AP 42 Table 1.4	Natural Gas (MMscf)
EU 25 & 26 (Liquid Smoke) IA 06 & 08 (Drenching Cabinets)	0.061 (lb/ton)	2020 Stack Test	Meat (tons)
EU 04 & 12 (Continuous Smokehouses)	0.088 (lb/ton)	2020 Stack Test	Meat (tons)

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

Emission Units (VOC _x)	Emission Factor (EF)	Emission Factor Basis	Throughput (SCC _x /month)
EU 05 – 09, 11, 13 - 16, 18 (Batch Houses)	44 (lb/ton)	(2019 stack results of 0.66 lb/hr / the stack test throughput of 30 lbs of wood per hour) * 2000 lb/ton	Wood (tons)
EU 28 (Diesel Generator)	49.12 (lb/1000 gallons)	AP 42 Table 3.3-1	Diesel fuel (1000 gallons)
EU 30 (Part Washer)	0.0833 tons/month per unit	2017 renewal application	NA
IA 19 (Wastewater Treatment)	188 (lb/1000 gallons)	2017 renewal application	Wastewater (1000 gallons)
IA 21 (Cleaners) K-MAX TFC Green II Laundry Neut Det Plus Lift RT	2.70 (lb/gallons) 7.39 (lb/gallons) 1.80 (lb/gallons)	2017 renewal application 2.19*Density*% VOC 2.19*Density*% VOC 2.19*Density*% VOC	Cleaner (gallons)
IA 22 (Sanitizers) Ecocare 250 Mirkolene DF Vortexx Whisper V	1.86 (lb/gallons) 6.90 (lb/gallons) 2.96 (lb/gallons)	2017 renewal application 2.19*Density*% VOC 2.19*Density*% VOC 2.19*Density*% VOC 2.19*Density*% VOC	Sanitizers (gallons)

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

Emission Units (VOC _x)	Emission Factor (EF)	Emission Factor Basis	Throughput (SCC _x /month)
	0.91 (lb/gallons)		
IA 23 (Inkjet Printing) Videojet V0001-480 Videojet V706-D Ink Cart V0001-680 Ink V411-D	1.31 (lb/gallons) 12.9 (lb/gallons) 3.75 (lb/gallons) 11.2 (lb/gallons)	2017 renewal application 0.264 (gal/L)*2*Density*% VOC 0.264 (gal/L)*2*Density*% VOC 0.264 (gal/L)*2*Density*% VOC 0.264 (gal/L)*2*Density*% VOC	Ink Jet (units in liters)
EU 31 & 32 (Freddy Hirsch Processing Lines)	1.42 (lb/ ton) until a unit specific emissions factor is established through testing	2022 Minor Revision Application	Meat (tons)

- In order to stay below the EPA’s regional screening level values, the permittee shall not exceed source-wide emissions of formaldehyde to 1.8 tons and acrolein 0.15 tons per year on a consecutive 12-month rolling total.

For Formaldehyde:

$$Formaldehyde \left(\frac{ton(s)}{month} \right) = \sum_x Formaldehyde_x$$

$$Formaldehyde_x \left(\frac{ton(s)}{month} \right) = EF_x \left(\frac{lb(s)}{SCC_x} \right) \times throughput_x \left(\frac{SCC_x}{month} \right) \times \frac{1}{2000} \left(\frac{ton}{lbs} \right)$$

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

Emission Units (Formaldehyde)	Emission Factor (EF _x)	Emission Factor Basis	Throughput _x (SCC _x /month)
EU 25 & 26 (Liquid Smoke) IA 06 & 08 (Drenching Cabinets)	0.00093 lb/ton	2020 Stack Test	Meat (tons)
EU 04 & 12 (Continuous Smokehouses)	0.0019 lb/ton	2020 Stack Test	Meat (tons)
EU 05 – 09, 11, 13 - 16, 18 (Batch Houses)	5.71 lb/ton	(2019 stack results of 0.086 lb/hr / the stack test throughput of 30 lbs of wood per hour) * 2000 lb/ton	Wood (tons)
EU 31 & 32 (Freddy Hirsch Coarse Meat)	0.00582 lb/ton until a unit specific emissions factor is established through testing	2022 minor revision application	Meat (tons)
EU 31 & 32 (Freddy Hirsch Emulsified Meat)	0.0106 lb/ton until a unit specific emissions factor is established through testing	2022 minor revision application	Meat (tons)

For Acrolein:

$$Acrolein \left(\frac{ton(s)}{month} \right) = \sum_x Acrolein_x$$

$$Acrolein_x \left(\frac{ton(s)}{month} \right) = EF_x \left(\frac{lb(s)}{SCC_x} \right) \times throughput_x \left(\frac{SCC_x}{month} \right) \times \frac{1}{2000} \left(\frac{ton}{lbs} \right)$$

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

Emission Units (Acrolein_x)	Emission Factor (EF_x)	Emission Factor Basis	Throughput_x (SCC_x /month)
EU 25 & 26 (Liquid Smoke) IA 06 & 08 (Drenching Cabinets)	0.0001 lb/ton	2020 Stack Test	Meat (tons)
EU 05 – 09, 11, 13 - 16, 18 (Batch Houses)	1.71 lb/ton	2019 Stack Test	Wood (tons)
EU 31 & 32 (Freddy Hirsch Coarse Meat)	0.00496 lb/ton until a unit specific emissions factor is established through testing	2022 minor revision application	Meat (tons)
EU 31 & 32 (Freddy Hirsch Emulsified Meat)	0.00191 lb/ton until a unit specific emissions factor is established through testing	2022 minor revision application	Meat (tons)

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b-IV-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place (as defined in this permit), and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five (5) years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030, Section 3(1)(f)1a, and Section 1a-7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
3. In accordance with the requirements of 401 KAR 52:030, Section 3(1)f, the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030, Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1, the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken shall be submitted to the Regional Office listed on the front of this permit. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement does not identify a specific time frame for reporting deviations, prompt reporting, as required by Sections 1b-V, 3 and 4 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26 shall be defined as follows:
 - a. For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
 - b. For emissions of any regulated air pollutant, excluding those listed in F.8.a., that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
 - c. All deviations from permit requirements, including those previously reported, shall be included in the semiannual report required by F.6.
9. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
 - a. Identification of each term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
 - f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, Florence Regional Office, 8020 Veterans Memorial Drive, Suite 110, Florence, KY 41042.
10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within 30 days of the date the Kentucky Emissions Inventory System (KYEIS) emissions survey is mailed to the permittee. If a KYEIS emissions survey is not mailed to the permittee, then the permittee shall comply with all other emissions reporting requirements in this permit.
11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - (1) The size and location of both the original and replacement units; and
 - (2) Any resulting change in emissions;
 - b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
 - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
 - d. The replacement unit shall comply with all applicable requirements; and
 - e. The source shall notify Regional office of all shutdowns and start-ups.
 - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
 - (1) Re-install the original unit and remove or dismantle the replacement unit; or
 - (2) Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

- a. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030, Section 3(1)(b), and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a-2 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a-5 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030, Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - (1) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030, Section 12;
 - (2) The Cabinet or the United States Environmental Protection Agency (U. S. EPA) determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - (3) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

- d. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a- 6 and 7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].

SECTION G - GENERAL PROVISIONS (CONTINUED)

- e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030, Section 3(1)(c)].
- f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030, Section 7(1)].
- g. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-11 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- h. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- i. All emission limitations and standards contained in this permit shall be enforceable as a practical matter. All emission limitations and standards contained in this permit are enforceable by the U.S. EPA and citizens except for those specifically identified in this permit as state-origin requirements. [Section 1a-12 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- j. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- k. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030, Section 11(3)].
- l. This permit does not convey property rights or exclusive privileges [Section 1a-8 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- m. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.
- n. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.

SECTION G - GENERAL PROVISIONS (CONTINUED)

- o. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.
- p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
- q. Pursuant to 401 KAR 52:030, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
 - (1) Applicable requirements that are included and specifically identified in this permit; and
 - (2) Non-applicable requirements expressly identified in this permit.

2. Permit Expiration and Reapplication Requirements

- a. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six (6) months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030, Section 12].
- b. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030, Section 8(2)].

3. Permit Revisions

- a. Minor permit revision procedures specified in 401 KAR 52:030, Section 14(3), may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the State Implementation Plan (SIP) or in applicable requirements and meet the relevant requirements of 401 KAR 52:030, Section 14(2).
- b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

SECTION G - GENERAL PROVISIONS (CONTINUED)**4. Construction, Start-Up, and Initial Compliance Demonstration Requirements**

No construction authorized by this permit (F-23-034).

5. Testing Requirements

- a. Pursuant to 401 KAR 50:045, Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.
- b. Pursuant to 401 KAR 50:045, Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.
- c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

6. Acid Rain Program Requirements

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

SECTION G - GENERAL PROVISIONS (CONTINUED)7. Emergency Provisions

- a. Pursuant to 401 KAR 52:030, Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - (1) An emergency occurred and the permittee can identify the cause of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - (4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
 - (5) Notification of the Division does not relieve the source of any other local, state or federal notification requirements.
- b. Emergency conditions listed in General Provision G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030, Section 23(3)].
- c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030, Section 23(2)].

8. Ozone depleting substances

- a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - (1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - (2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - (3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - (5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

SECTION G - GENERAL PROVISIONS (CONTINUED)

- b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

9. Risk Management Provisions

- a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to U.S. EPA using the RMP* eSubmit software.
- b. If requested, submit additional relevant information to the Division or the U.S. EPA.

SECTION H - ALTERNATE OPERATING SCENARIOS

N/A

SECTION I - COMPLIANCE SCHEDULE

N/A