

**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 52:020**

Permittee Name: Adient US LLC
Mailing Address: 824 Lemons Mill Road
Georgetown, KY 40324

Source Name: Adient US LLC – Georgetown Plant
Mailing Address: 824 Lemons Mill Road
Georgetown, KY 40324

Source Location: Same as above

Permit ID: V-26-045
Agency Interest #: 3911
Activity ID: APE20260001
Review Type: Title V, Operating
Source ID: 21-209-00020

Regional Office: Frankfort Regional Office
300 Sower Boulevard, 1st Floor
Frankfort, KY 40601
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County: Scott

**Application
Complete Date:** June 29, 2026
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
V-26-045	Renewal	APE20260001	6/29/2026		Renewal

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 52:020, Title V Permits.

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 001 – 004 (EP01, EP02, EP03, EP04) Foam Production Carousels

Description:

4 Foam Production Carousels each consisting of the following:

- Demold/prep/paste area
- Spray mold release station
- Foam pour area
- Foam crushing station

Carousels 1 and 2 (EP01, EP02) Installation Date: November 1993

Carousel 3 (EP03) Installation Date: March 1994

Carousel 4 (EP04) Installation Date: May 1994

Carousels 1 and 2 Maximum Operating Rate: 1,159 lb/hr

Carousels 3 and 4 Maximum Operating Rate: 1,418 lb/hr

Controls: None

APPLICABLE REGULATIONS:

401 KAR 50:012, *General application.*

401 KAR 59:010, *New process operations.*

401 KAR 63:002, Section 2(4)(nnnnn), 40 C.F.R. 63.11414 through 63.11420, Table 1 (**Subpart OOOOOO**), *National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production and Fabrication Area Sources.*

1. Operating Limitations:

- a. The permittee must not use a material containing methylene chloride as an equipment cleaner to flush the mixhead or use a material containing methylene chloride elsewhere as an equipment cleaner in a molded flexible polyurethane foam process. [40 CFR 63.11416(c)(1)]
- b. The permittee must not use a mold release agent containing methylene chloride in a molded flexible polyurethane foam process. [40 CFR 63.11416(c)(2)]

Compliance Demonstration Method:

The permittee may demonstrate compliance with 40 CFR 63.11416(c) using adhesive usage records, Material Safety Data Sheets, and engineering calculations. See **5. Specific Recordkeeping Requirements** e. [40 CFR 63.11416(f)]

2. Emission Limitations:

- a. In the absence of a standard, all major air contaminant sources shall as a minimum apply control procedures that are reasonable, available, and practical. [401 KAR 50:012, Section 1(2)]

Compliance Demonstration Method:

Compliance is demonstrated by adhering to the following practices from the RAP analysis approved by the Division on November 9, 2011:

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

- (a) The permittee shall use a gravity fed mold release agent supply system for feeding mold release compound to the carousel mold release station.
 - (b) The permittee shall use hand held, high volume, low pressure spray application equipment for spray applied mold release agents at the carousel mold release station.
 - (c) The permittee shall use programmed robots (to the extent possible) for mold release agent application.
 - (d) The permittee shall deploy and use precise foam component metering and delivery at the foam pour station.
 - (e) The permittee shall use non-VOC, mechanical foam shot clearing and purging for the cleaning step following foam pouring.
- b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of the quantity specified in 401 KAR 59:010, Appendix A: [401 KAR 59:010, Section 3(2)]
- (1) For process weight rates ≤ 0.50 ton/hour: $E = 2.34$
 - (2) For process weight rates > 0.50 ton/hr and ≤ 30 tons/hr: $E = 3.59P^{0.62}$
- Where: E = rate of particulate emissions in lb(s)/hr, and
 P = process weight rate in tons/hr.
- 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 twenty (20) percent opacity. [401 KAR 59:010, Section 3(1)(a)]

Compliance Demonstration Method:

- (a) Compliance with the PM mass emission limit shall be demonstrated by maintaining records of the mold release agents used and calculations of mass emission rates at the maximum operating rate. See **5. Specific Recordkeeping Requirements f.**
- (b) For compliance with the opacity limit, see **4. Specific Monitoring Requirements d.** and **5. Specific Recordkeeping Requirements d.**

3. Testing Requirements:

Performance testing using the reference methods specified in 401 KAR 50:015 shall be conducted if required by the Cabinet. [401 KAR 50:045, Section 1, and 401 KAR 59:005, Section 2(2)]

4. Specific Monitoring Requirements:

- a. The permittee shall monitor the daily amount of solvent based mold release agent sprayed for each line. [401 KAR 52:020, Section 10]
- b. The permittee shall monitor the solids content (weight percent) of solvent based mold release agent for each line. [401 KAR 52:020, Section 10]
- c. The permittee shall monitor the number of hours of operation of each emission unit per day. [401 KAR 52:020, Section 10]

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

- d. The permittee shall perform a qualitative visual observation of the opacity of emissions at each stack weekly while the affected facility is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using Reference Method 9. In lieu of determining the opacity using U.S. EPA Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:020, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall keep records of the daily amount of solvent based mold release agent sprayed for each line. [401 KAR 52:020, Section 10]
- b. The permittee shall keep records of the solids content (weight percent) of solvent based mold release agent for each line. [401 KAR 52:020, Section 10]
- c. The permittee shall keep records of the number of hours of operation of each emission unit per day. [401 KAR 52:020, Section 10]
- d. The permittee shall maintain records of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements** d., including the date, time, initials of observer, whether any emissions were observed (yes/no), any corrective action taken, and any U.S. EPA Reference Method 9 readings conducted. [401 KAR 52:020, Section 10]
- e. The permittee must maintain records of the information used to demonstrate compliance, as required by 40 CFR 63.11416(f). The records must be maintained for 5 years, with the last 2 years of data retained on site. The remaining 3 years of data may be maintained off site. [40 CFR 63.11417(c)(1)]
- f. The permittee shall maintain records of each mold release agents used. For each mold release agent, the permittee shall maintain records of the following calculation demonstrating that the mass emission rate is less than the emission standard calculated according to **2. Emission Limitations** b.: [401 KAR 52:020, Section 10]
Hourly mass emission rate (lb/hr) = $P \times 2000 \times S \times (1-T)$
Where: P: Maximum solvent based mold release agent application rate in tons/hr.
S: Solids content of solvent based mold release agent (in weight percent).
T: Transfer efficiency of mold release agent.

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 05a (EP05a) Diesel-fired Emergency Fire Pump Engine

Description:

EP 05a: Model: Clarke (John Deere 6068) JU6H-UFADMG
Construction Date: August 2024
Power output: 175 hp

APPLICABLE REGULATIONS:

401 KAR 60:005, Section 2(2)(oooo), 40 C.F.R. 60.4200 through 60.4219, Tables 1 through 8 (**Subpart IIII**), *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

401 KAR 63:002, Section 2(4)(eeee), 40 C.F.R. 63.6580 through 63.6675, Tables 1a through 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 requirements of 40 CFR Part 63 by meeting the requirements of 40 CFR 60, Subpart IIII. No further requirements apply under 40 CFR Part 63. [40 CFR 63.6590(c) and 63.6590(c)(1)]
- b. The permittee shall operate and maintain the stationary CI ICE in a manner that achieves the emission standards are required in 40 CFR 60.4205 over the entire life of the engine. [40 CFR 60.4206]
- c. Beginning October 1, 2010, the permittee shall use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. [40 CFR 60.4207(b)]
- d. The permittee shall do all of the following, except as permitted under 40 CFR 60.4211(g): [40 CFR 60.4211(a)]
 - (1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions; [40 CFR 60.4211(a)(1)]
 - (2) Change only those emission-related settings that are permitted by the manufacturer; and [40 CFR 60.4211(a)(2)]
 - (3) Meet the requirements of 40 CFR Part 1068, as they apply. [40 CFR 60.4211(a)(3)]
- e. The permittee shall operate the emergency stationary ICE according to the requirements in 40 CFR 60.4211(f)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR 60, Subpart IIII, 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 60.4211(f)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 60.4211(f)(1) through (3), the engine will not be considered an emergency

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

engine under 40 CFR 60, Subpart IIII and shall meet all requirements for non-emergency engines. [40 CFR 60.4211(f)]

- (1) There is no time limit on the use of emergency stationary ICE in emergency situations. [40 CFR 60.4211(f)(1)]
- (2) The permittee may operate the emergency stationary ICE for the purpose specified in 40 CFR 60.4211(f)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 60.4211(f)(3) counts as part of the 100 hours per calendar year allowed by 40 CFR 60.4211(f)(2). [40 CFR 60.4211(f)(2)]
 - (i) Emergency stationary ICE 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 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 ICE beyond 100 hours per calendar year. [40 CFR 60.4211(f)(2) and 60.4211(f)(2)(i)]
- (3) Emergency stationary ICE 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 provided in 40 CFR 60.4211(f)(2). Except as provided in 40 CFR 60.4211(f)(3)(i), the 50 hours per calendar 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 60.4211(f)(3)]
 - (i) 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 60.4211(f)(3) and 60.4211(f)(3)(i)]
 - (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator; [40 CFR 60.4211(f)(3)(i)(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 60.4211(f)(3)(i)(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 60.4211(f)(3)(i)(C)]
 - (D) The power is provided only to the facility itself or to support the local transmission and distribution system. [40 CFR 60.4211(f)(3)(i)(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

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

operator may keep these records on behalf of the permittee. [40 CFR 60.4211(f)(3)(i)(E)]

2. Emission Limitations:

The permittee shall comply with the emission standards in 40 CFR 60, Subpart IIII, Table 4, for all pollutants. [40 CFR 60.4205(c)]

- a. NMHC + NO_x: 4.0 g/KW-hr (3.0 g/HP-hr) [40 CFR 60, Subpart IIII, Table 4]
- b. CO: 3.5 g/KW-hr (2.6 g/HP-hr) [40 CFR 60, Subpart IIII, Table 4]
- c. PM: 0.2 g/KW-hr (0.15 g/HP-hr) [40 CFR 60, Subpart IIII, Table 4]

Compliance Demonstration Method:

- (a) The permittee shall comply with the emission standards specified in 40 CFR 60.4205(c) by purchasing an engine certified to the emission standards in 40 CFR 60.4205(c) for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine shall be installed and configured according to the manufacturer's emission-related specifications, except as permitted in 40 CFR 60.4211(g). [40 CFR 60.4211(c)]
- (b) If the permittee does not install, configure, operate, and maintain the engine and control device according to the manufacturer's emission-related written instructions, of emissions-related settings are changed in a way that is not permitted by the manufacturer, the permittee shall demonstrate compliance as follows: The permittee shall keep a maintenance plan and records of conducted maintenance and shall, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee shall conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after emission-related settings are changed in a way that is not permitted by the manufacturer. [40 CFR 60.4211(g) and 60.4211(g)(2)]

3. Testing Requirements:

- a. Performance testing conducted pursuant to 40 CFR 60, Subpart IIII shall be done according to 40 CFR 60.4212(a) through (e). [40 CFR 60.4212]
- b. Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 50:045, Section 1]

4. Specific Monitoring Requirements:

The permittee shall monitor the fuel usage on a monthly basis. [401 KAR 52:020, Section 10]

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

5. Specific Recordkeeping Requirements:

- a. If the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the permittee shall keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The permittee shall record the time of operation of the engine and the reason the engine was in operation during that time. [40 CFR 60.4214(b)]
- b. Any records required to be maintained by 40 CFR 60, Subpart IIII that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation. [40 CFR 60.4214(j)]
- c. The permittee shall maintain records of the fuel usage on a monthly basis. [401 KAR 52:020, Section 10]

6. Specific Reporting Requirements:

- a. Within 60 days after the date of completing each performance test required by 40 CFR 60, Subpart IIII, the permittee shall submit the results of the performance test required under 40 CFR 60.4214 following the procedures specified in 40 CFR 60.4214(f)(1) and (2). [40 CFR 60.4214(f)]
- b. If the permittee is required to submit notifications or reports following the procedure specified in 40 CFR 60.4214(g), the permittee shall submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). The EPA will make all the information submitted through CEDRI available to the public without further notice to the permittee. Do not use CEDRI to submit information claimed as CBI. Although the EPA does not expect persons to assert a claim of CBI, if the permittee wishes to assert a CBI claim for some of the information in the report or notification, the permittee shall submit a complete file in the format specified in 40 CFR 60, Subpart IIII, including information claimed to be CBI, to the EPA following the procedures in 40 CFR 60.4214(g)(1) and (2). Clearly mark the part or all of the information that is claimed to be CBI. Information not marked as CBI may be authorized for public release without prior notice. Information marked as CBI will not be disclosed except in accordance with procedures set forth in 40 CFR Part 2. All CBI claims shall be asserted at the time of submission. Anything submitted using CEDRI cannot later be claimed CBI. Furthermore, under CAA Section 114(c), emissions data is not entitled to confidential treatment, and the EPA is required to make emissions data available to the public. Thus, emissions data will not be protected as CBI and will be made publicly available. The permittee shall submit the same file submitted to the CBI office with the CBI omitted to the EPA via the EPA's CDX as described earlier in 40 CFR 60.4214(g). [40 CFR 60.4214(g)]
- c. If the permittee is required to electronically submit a report through CEDRI in the EPA's CDX, the permittee may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, the

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

permittee shall meet the requirements in 40 CFR 60.4214(h)(1) through (7). [40 CFR 60.4214(h)]

- d. If the permittee is required to electronically submit a report through CEDRI in the EPA's CDX, the permittee may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, the permittee shall meet the requirements outlined in 40 CFR 60.4214(i)(1) through (5). [40 CFR 60.4214(i)]

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

Emission Unit 006 (EP06) Diesel Fired Emergency Generator

Description:

EP 06: Model: Cummins, KTA50-G9

Construction Date: 2001

Maximum hourly capacity: 14 mmBtu/hr

Power output: 2000 hp

APPLICABLE REGULATIONS:

401 KAR 63:002, Section 2(4)(eeee), 40 C.F.R. 63.6580 through 63.6675, Tables 1a through 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 comply with the following operating limits of Table 2d, Item 4 of 40 CFR 63, Subpart ZZZZ: [40 CFR 63.6603(a)]
 - (1) Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; [Item 4.a. of Table 2d to 40 CFR 63, Subpart ZZZZ]
 - (2) Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous change, whichever comes first, and replace as necessary; and [Item 4.b. of Table 2d to 40 CFR 63, Subpart ZZZZ]
 - (3) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. within 1 year + 30 days of the previous change. [Item 4.c. of Table 2d to 40 CFR 63, Subpart ZZZZ]
 - (4) If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in table 2d of 40 CFR 63, Subpart ZZZZ, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, state, or local law has abated. [Footnote 2 of Table 2d to 40 CFR 63, Subpart ZZZZ]
- b. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d of 40 CFR 63, Subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d of 40 CFR 63, Subpart ZZZZ. 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 must change the oil within 2 business days of receiving the

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

results of the analysis; if the engine is not in operation when the results of the analysis are received, the permittee must change the oil within 2 business days or before commencing operation, whichever is later. 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)]

- c. At all times the permittee must operate and maintain the engines in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation 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, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.6605(b)]
- d. The permittee must 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)]
- e. The permittee must operate the emergency stationary RICE according to the requirements in 40 CFR 63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE under 40 CFR 63, Subpart ZZZZ, the permittee must operate the RICE according to the requirements of 40 CFR 63.6640(f)(1) through (4). 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) through (4), is prohibited. If the permittee does not operate the engine according to the requirements of 40 CFR 63.6640(f)(1) through (4), the engine will not be considered an emergency engine under 40 CFR 63, Subpart ZZZZ and must meet all requirements for non-emergency engines. [40 CFR 63.6640(f)]
 - (1) There is no time limit on the use of emergency stationary RICE in emergency situations. [40 CFR 63.6640(f)(1)]
 - (2) The permittee may operate the emergency stationary RICE for any combination of the purposes specified in 40 CFR 63.6640(f)(2)(i) below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 63.6640(f)(4) below counts as part of the 100 hours per calendar year allowed by 40 CFR 63.6640(f)(2). [40 CFR 63.6640(f)(2)]
 - (i) 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 or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Division for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator 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)]

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

- (3) 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 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)]
- (i) 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 owner or operator. [40 CFR 63.6640(f)(4)(ii)(E)]

Compliance Demonstration Method:

- (a) Compliance with paragraph e. of 1. **Operating Limitations** shall be demonstrated by installing a non-resettable hour meter and recordkeeping of the hours of operations. Refer to 4. **Specific Monitoring Requirements** and 5. **Specific Recordkeeping Requirements**. [40 CFR 63.6625(f)]
- (b) The permittee shall demonstrate compliance by operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions or developing and following their own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engines in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 63.6640(a) and 40 CFR 63.6625(e)]

2. Emission Limitations:

None

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. [401 KAR 50:045, Section 1]

4. Specific Monitoring Requirements:

The permittee must install a non-resettable hour meter on the emergency engine if one is not already installed. [40 CFR 63.6625(f)]

5. Specific Recordkeeping Requirements:

- a. The permittee must maintain the following records: [40 CFR 63.6655(a)]
 - (1) A copy of each notification and report submitted to comply with 40 CFR 63.6655(a), including all documentation supporting any Initial Notification or Notification of Compliance Status that the permittee submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv). [40 CFR 63.6655(a)(1)]
 - (2) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment. [40 CFR 63.6655(a)(2)]
 - (3) 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 keep the following records required in Table 6 to 40 CFR 63, Subpart ZZZZ to show continuous compliance with each operating limitation in Item 4 of Table 2d. [40 CFR 60.6655(d)]
 - (1) The manufacturer's emission-related operation and maintenance instructions; or [Item 9.a.i. of Table 6 to 40 CFR 63, Subpart ZZZZ]
 - (2) The permittee's own maintenance plan which must provide 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. [Item 9.a.ii. of Table 6 to 40 CFR 63, Subpart ZZZZ]
- c. The permittee must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the permittee has operated and maintained the stationary RICE according to the permittee's own maintenance plan. [40 CFR 63.6655(e)]
- d.
 - (1) Records must be in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1). [40 CFR 63.6660(a)]
 - (2) As specified in 40 CFR 63.10(b)(1), each record must be kept for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record; and [40 CFR 63.6660(b)]
 - (3) Each record must be readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). [40 CFR 63.6660(c)]
- e. The permittee shall keep records of the fuel usage on a monthly basis for a twelve (12) month rolling total. [401 KAR 52:020, Section 10]

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

- f. If the engine does not meet the standards applicable to non-emergency engines, the permittee must keep records of the hours of operation of the engine that is 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 the purposes specified in 40 CFR 63.6640(f)(4)(ii), the permittee must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. [40 CFR 63.6655(f)(2)]

6. Specific Reporting Requirements:

- a. The permittee shall report each instance in which the engine did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to 40 CFR 63, Subpart ZZZZ that apply. These instances are deviations from the emission and operating limitations in 40 CFR 63, Subpart ZZZZ. These deviations must be reported according to the 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 19 (EP19) Natural Gas Fired Emergency Engine****Emission Unit 20 (EP20) Natural Gas Fired Emergency Engine****Description:****EP19:** Model: Generac, QT100 (Engine Family: KGNXB06.82C1)

Construction Date: August 2019

Manufacture Date: May 16, 2019

Maximum hourly capacity: 1.24 mmBtu/hr

Power output: 149 hp (111 kW)

Controls: 3-way Catalyst (manufacturer installed) for the 4 Stroke Rich Burn Engine

Note: This engine is located in the storage warehouse located at 840 Lemons Mill Road, not in the main production building.

EP20: Model: Generac, RG 15090 (Engine Family: SGNXB08.92N4)

Construction Date: August 2025 (Proposed)

Manufacture Date: 2025

Maximum hourly capacity: 2.08 mmBtu/hr

Power output: 228 hp (168 kW)

Controls: None

APPLICABLE REGULATIONS:

401 KAR 60:005, Section 2(2)(pppp), 40 C.F.R. 60.4230 through 60.4248, Tables 1 through 4 (**Subpart JJJJ**), *Standards of Performance for Stationary Spark Ignition Internal Combustion Engines*.

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

1. Operating Limitations:

- a. A new or reconstructed stationary RICE located at an area source must meet the requirements of 40 CFR 63 by meeting the requirements of 40 CFR 60, Subpart JJJJ. No further requirements apply for such engines under 40 CFR 63. [40 CFR 63.6590(c)(1)]
- b. The permittee must operate the emergency stationary ICE according to the requirements in 40 CFR 60.4243(d)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR 60, Subpart JJJJ, 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 60.4243(d)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 60.4243(d)(1) through (3), the engine will not be considered an emergency engine under 40 CFR 60, Subpart JJJJ and must meet all requirements for non-emergency engines. [40 CFR 60.4243(d)]
 - (1) There is no time limit on the use of emergency stationary ICE in emergency situations. [40 CFR 60.4243(d)(1)]

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

- (2) The permittee may operate their emergency stationary ICE for any combination of the purposes specified in 40 CFR 60.4243(d)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 60.4243(d)(3) counts as part of the 100 hours per calendar year allowed by 40 CFR 60.4243(d)(2). [40 CFR 60.4243(d)(2)]
 - (i) Emergency stationary ICE 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 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 ICE beyond 100 hours per calendar year. [40 CFR 60.4243(d)(2)(i)]
- (3) Emergency stationary ICE 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 provided in 40 CFR 60.4243(d)(2). Except as provided in 40 CFR 60.4243(d)(3)(i), 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 60.4243(d)(3)]
 - (i) 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 60.4243(d)(3)(i)]
 - (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator; [40 CFR 60.4243(d)(3)(i)(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 60.4243(d)(3)(i)(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 60.4243(d)(3)(i)(C)]
 - (D) The power is provided only to the facility itself or to support the local transmission and distribution system. [40 CFR 60.4243(d)(3)(i)(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 permittee. [40 CFR 60.4243(d)(3)(i)(E)]
- c. The permittee may operate their engine using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of

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

such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the permittee is required to conduct a performance test to demonstrate compliance with the emission standards of 40 CFR 60.4233. [40 CFR 60.4243(e)]

- d. If the permittee does not operate and maintain their certified stationary SI internal combustion engine and control device according to the manufacturer's written emission-related instructions, initial performance testing will be required as indicated in 40 CFR 60.4243. Subsequent performance testing will not be required unless the stationary engine is rebuilt or undergoes major repair or maintenance. [40 CFR 60.4243(f)]
- e. It is expected that air-to-fuel ratio controllers will be used with the operation of the three-way catalyst. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times. [40 CFR 60.4243(g)]

2. Emission Limitations:

- a. The permittee of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 hp) (except gasoline and rich burn engines that use LPG) must comply with the emission standards in Table 1 to 40 CFR 60, Subpart JJJJ for their stationary SI ICE as follows: [40 CFR 60.4233(e) and Table 1 to 40 CFR 60, Subpart JJJJ]
 - (1) Emissions of NO_x shall not exceed 2.0 g/hp-hr or 160 ppmvd at 15% O₂.
 - (2) Emissions of CO shall not exceed 4.0 g/hp-hr or 540 ppmvd at 15% O₂.
 - (3) Emissions of VOC shall not exceed 1.0 g/hr-hr or 86 ppmvd at 15% O₂.
- b. The permittee of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in 40 CFR 60.4233 over the entire life of the engine. [40 CFR 60.4234]

Compliance Demonstration Method:

The permittee must demonstrate compliance by purchasing an engine certified according to procedures specified in 40 CFR 60, Subpart JJJJ, for the same model year and demonstrating compliance according to one of the methods specified in 40 CFR 60.4243(a) as follows: [40 CFR 60.4243(b)(1)]

- (a) If the permittee operates and maintains the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, the permittee must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required. The permittee must also meet the requirements as specified in 40 CFR 1068, Subparts A through D, as they apply. If the permittee adjusts engine settings according to and consistent with the manufacturer's instructions, the stationary SI internal combustion engine will not be considered out of compliance. [40 CFR 60.4243(a)(1)]
- (b) If the permittee does not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, the engine will be considered a non-certified engine, and the

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

permittee must demonstrate compliance according to 40 CFR 60.4243(a)(2)(ii) (see **3. Testing Requirements** b. [40 CFR 60.4243(a)(2)])

3. Testing Requirements:

- a. Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 50:045, Section 1]
- b. If the permittee does not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, the engine will be considered a non-certified engine, and the permittee must demonstrate compliance according to 40 CFR 60.4243(a)(2)(ii) as follows: [40 CFR 60.4243(b)(1)]
 - (1) The permittee must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee must conduct an initial performance test within 1 year of engine startup to demonstrate compliance according to 40 CFR 60.4244(a) through (f). [40 CFR 60.4243(a)(2)(ii)]

4. Specific Monitoring Requirements:

If the emergency stationary SI internal combustion engine that is greater than or equal to 130 hp and less than 500 hp that was built on or after January 1, 2011, does not meet the standards applicable to non-emergency engines, the permittee must install a non-resettable hour meter. [40 CFR 60.4237(b)]

5. Specific Recordkeeping Requirements:

- a. The permittee of all stationary SI ICE must keep records of the information in 40 CFR 60.4245(a)(1) through (4) as follows: [40 CFR 60.4245(a)]
 - (1) All notifications submitted to comply with 40 CFR 60, Subpart JJJJ and all documentation supporting any notification. [40 CFR 60.4245(a)(1)]
 - (2) Maintenance conducted on the engine. [40 CFR 60.4245(a)(2)]
 - (3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 1048, 1054, and 1060, as applicable. [40 CFR 60.4245(a)(3)]
 - (4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to 40 CFR 60.4243(a)(2), documentation that the engine meets the emission standards. [40 CFR 60.4245(a)(4)]
- b. For all stationary SI emergency ICE greater than or equal to 130 hp and less than 500 hp manufactured on or after July 1, 2011 that do not meet the standards applicable to non-emergency engines, the permittee of must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. [40 CFR 60.4245(b)]

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

6. Specific Reporting Requirements:

- a. If the permittee of an emergency stationary SI ICE with a maximum engine power more than 100 hp that operates for the purposes specified in 40 CFR 60.4243(d)(3)(i), the permittee must submit an annual report according to the requirements in 40 CFR 60.4245(e)(1) through (3) as follows: [40 CFR 60.4245(e)]
 - (1) The report must contain the following information: [40 CFR 60.4245(e)(1)]
 - (i) Company name and address where the engine is located. [40 CFR 60.4245(e)(1)(i)]
 - (ii) Date of the report and beginning and ending dates of the reporting period. [40 CFR 60.4245(e)(1)(ii)]
 - (iii) Engine site rating and model year. [40 CFR 60.4245(e)(1)(iii)]
 - (iv) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place. [40 CFR 60.4245(e)(1)(iv)]
 - (v) Hours spent for operation for the purposes specified in 40 CFR 60.4243(d)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 60.4243(d)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine. [40 CFR 60.4245(e)(1)(vii)]
 - (2) The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year. [40 CFR 60.4245(e)(2)]
 - (3) The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<https://cdx.epa.gov/>). However, if the reporting form specific to 40 CFR 60, Subpart JJJJ is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in 40 CFR 60.4. Beginning on February 26, 2025, submit annual report electronically according to 40 CFR 60.4245(g). [40 CFR 60.4245(e)(3)]
- b. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements.**

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Units 7-1 to 7-12, 008 and 009, Indirect Heat Exchangers****EP 7-1 to EP 7-12: Twelve (12) Make-up air units used for Seasonal Space/Comfort Heating**

Maximum hourly capacity: 6.48 mmBtu/hr each

Construction Date: 1999

Controls: None

EP 008: One Make-up air unit used for Seasonal Space/Comfort Heating

Maximum hourly capacity: 3.24 mmBtu/hr each

Construction Date: 1999

Controls: None

EP 009: Back-up boiler (emergency heat supply for fire suppression tank)

Maximum hourly capacity: 1.2 mmBtu/hr

Construction Date: 2001

Controls: None

APPLICABLE REGULATIONS:

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

STATE-ORIGIN REQUIREMENTS:

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

1. Operating Limitations:

During a startup period or 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 actions, including duration of the startup period, of the permittee during startup periods and shutdown periods, shall be documented 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)]
 - (1) The manufacturer's recommended procedures; or [401 KAR 59:015, Section 7(1)(e)1.]

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

- (2) 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 permittee. [401 KAR 59:015, Section 7(1)(e)2.]

Compliance Demonstration Method:

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

a.

2. Emission Limitations:

- a. The permittee shall not cause emissions of particulate matter (PM) in excess of 0.34 lb/MMBtu actual heat input for each heat exchanger. [401 KAR 59:015, Section 4(1)(a)]
- b. The permittee shall not cause emissions of particulate matter in excess of 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
- (1) 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)]
- (2) 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)]
- c. The permittee shall not cause emissions of gases that contain sulfur dioxide (SO₂) in excess of: [401 KAR 59:015, Section 5(1)(a)1.]
- (1) 1.27 lb/mmBtu actual heat input for EU 7-1 to 7-12 and EU 008.
- (2) 1.26 lb/mmBtu actual heat input for EU 009.

Compliance Demonstration Method:

Compliance with the 401 KAR 59:015 emission standards is assumed. [401 KAR 50:045, Section 4(3)(c)1.]

- d. The permittee shall provide the utmost care and consideration, in the handling of materials from which hazardous matter or toxic substances may be emitted, 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. Evaluation of such facilities as to adequacy of controls and/or procedures and emission potential will be made on an individual basis by the Cabinet. [401 KAR 63:020, Section 3]

Compliance Demonstration Method:

Based upon the emission rates of toxic 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)

3. Testing Requirements:

Performance testing using the reference methods specified in 401 KAR 50:015 shall be conducted if required by the Cabinet. [401 KAR 50:045, Section 1, and 401 KAR 59:005, Section 2(2)]

4. Specific Monitoring Requirements:

a. The permittee shall monitor source-wide natural gas fuel usage in MMscf on a monthly basis. [401 KAR 52:020, Section 10]

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

5. Specific Recordkeeping Requirements:

a. The permittee shall keep records of the manufacturer's recommended procedures for startup and shutdown, or 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 permittee. [401 KAR 52:020, Section 10]

b. The permittee shall keep records of source-wide natural gas fuel usage in MMscf on a monthly basis. [401 KAR 52:020, Section 10]

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

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 10 (EP10) Portable Generator Engine****EP10: Portable Generator (with Welder)**

Power Rating: 23 HP

Fuel: Propane

Construction Date: 2007

Controls: None

APPLICABLE REGULATIONS:**401 KAR 59:010**, *New process operations***401 KAR 63:020**, *Potentially hazardous matter or toxic substances* [State-Origin Requirement]**NON-APPLICABLE REGULATIONS:****401 KAR 63:002, Section 2(4)(eeee)**, 40 C.F.R. 63.6580 through 63.6675, Tables 1a through 8, and Appendix A (**Subpart ZZZZ**), *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines***1. Operating Limitations:**

To preclude the portable internal combustion engine from being classified as “not a nonroad engine” as defined in 40 CFR 1068.30, the engine shall not remain at any location for more than 12 consecutive months. For any engine (engines) that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced, the time period of both engines shall be used in calculating the consecutive time period. [401 KAR 52:020, Section 10]

Compliance Demonstration Method:Refer to **5. Specific Recordkeeping Requirements**.**2. Emission Limitations:**

- a. 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 twenty (20) percent opacity. [401 KAR 59:010, Section 3(1)(a)]
- b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of the quantity specified in 401 KAR 59:010, Appendix A: [401 KAR 59:010, Section 3(2)]
 - (1) For process weight* rates ≤ 0.50 ton/hour: $E = 2.34$
 - * “Process weight” means the total weight of all materials introduced into any affected facility which may cause any emission of particulate matter, but does not include liquid and gaseous fuels charged, combustion air, or uncombined water. [401 KAR 59:010, Section 2(2)]

Compliance Demonstration Method:

Compliance with the 401 KAR 59:010 emission standards is assumed. [401 KAR 50:045, Section 4(3)(c)1.]

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

- c. The permittee shall provide the utmost care and consideration, in the handling of materials from which hazardous matter or toxic substances may be emitted, 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. Evaluation of such facilities as to adequacy of controls and/or procedures and emission potential will be made on an individual basis by the Cabinet. [401 KAR 63:020, Section 3]

Compliance Demonstration Method:

Based upon the emission rates of toxic 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.

3. Testing Requirements:

Performance testing using the reference methods specified in 401 KAR 50:015 shall be conducted if required by the Cabinet. [401 KAR 50:045, Section 1]

4. Specific Monitoring Requirements:

None

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain a log, located with the engine at all times, specifying each location of the engine; including the initial date at that location, and the date moved from that location. [401 KAR 52:020, Section 10]
- b. The permittee shall calculate and record the amount of propane usage on a monthly basis. [401 KAR 52:020, 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 52:020, 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.	Welder (with EP10)	None
2.	Seven 6,000 gallon polyol storage tanks, vented to drum-size carbon filters	401 KAR 63:020
3.	Four 6,000 gallon TDI/MDI tanks, vented to drum-size carbon filters	401 KAR 63:020
4.	One 1,000 diesel storage tank	None
5.	One 200 gallons diesel storage tank	None
6.	One air make-up unit (0.5 mmBtu/hr)	401 KAR 59:010 401 KAR 63:020
7.	One rooftop unit (0.06 mmBtu/hr)	401 KAR 59:010 401 KAR 63:020
8.	One air make-up unit (0.24 mmBtu/hr)	401 KAR 59:010 401 KAR 63:020
9.	Three air make-up units (0.78 mmBtu/hr each)	401 KAR 59:010 401 KAR 63:020
10.	Ten hanging heaters (0.20 mmBtu/hr each)	401 KAR 59:010 401 KAR 63:020
11.	Ten space heaters (0.27 mmBtu/hr each)	401 KAR 59:010 401 KAR 63:020
12.	One 6,000 gallon diethanolamine storage tank, vented to a drum-size carbon filter	401 KAR 63:020
13.	One 40,000 Btu/hour rooftop unit (RTU)	401 KAR 59:010 401 KAR 63:020
14.	Ten 27,000 Btu/hour (each) RTUs	401 KAR 59:010 401 KAR 63:020
15.	Natural gas-fired dryer (0.165 mmBtu/hr)	401 KAR 59:010 401 KAR 63:020
16.	Two (2) resistance welders	None
17.	Natural gas-fired dryer (0.165 mmBtu/hr) (UniLinc UT75)	401 KAR 59:010 401 KAR 63:020

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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.
2. Carbon monoxide (CO) emissions, nitrogen oxide (NO_x) emissions, particulate matter (PM) emissions, sulfur dioxide (SO₂) emissions, and volatile organic compound (VOC) 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.

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 Title V Permits* incorporated by reference in 401 KAR 52:020, 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 [Sections 1b-IV-2 and 1a-8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. In accordance with the requirements of 401 KAR 52:020, Section 3(1)h, 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 Title V Permits* incorporated by reference in 401 KAR 52:020, 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 52:020, Section 23. 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 Title V Permits* incorporated by reference in 401 KAR 52:020, 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 52:020, Title V permits, 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 and the U.S. EPA in accordance with the following requirements:
 - a. Identification of the 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 following addresses:

Division for Air Quality	U.S. EPA Region 4
Frankfort Regional Office	Air Enforcement Branch
300 Sower Boulevard, 1st Floor	Atlanta Federal Center
Frankfort KY, 40601	61 Forsyth St. SW
	Atlanta, GA 30303-8960

- 10. In accordance with 401 KAR 52:020, Section 22, 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.

SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

- a. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020, 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 termination, revocation and reissuance, revision or denial of a permit [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. 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 52:020, 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;
 - (4) New requirements become applicable to a source subject to the Acid Rain Program.

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- 7 and 8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:020, Section 3(1)(c)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

- 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 52:020, 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-14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-15 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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 52:020, Section 11(3) b].
- l. This permit does not convey property rights or exclusive privileges [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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 [401 KAR 52:020, Section 11(3) d.].
- 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 [401 KAR 52:020, Section 11(3) a.].

SECTION G - GENERAL PROVISIONS (CONTINUED)

- 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 52:020, 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 52:020, Section 12].
- b. The authority to operate granted 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 52:020, Section 8(2)].

3. Permit Revisions

- a. A minor permit revision procedure 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 52:020, 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.

4. Construction, Start-Up, and Initial Compliance Demonstration Requirements

No construction authorized by permit V-26-045.

SECTION G - GENERAL PROVISIONS (CONTINUED)

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorized the construction and operation of the equipment described herein, emission unit EP20 in accordance with the terms and conditions of permit V-20-031 R2.

- a. Construction of any process and/or air pollution control equipment authorized by permit V-20-031 R2 shall be conducted and completed only in compliance with the conditions of permit V-26-045.
- b. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of permit V-26-045 in writing, notification of the following:
 - (1) The date when construction commenced.
 - (2) The date of start-up of the affected facilities listed in this permit.
 - (3) The date when the maximum production rate specified in the permit application was achieved.
- c. Pursuant to 401 KAR 52:020, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.
- d. For those affected facilities for which construction was authorized by permit V-20-031 R2, a source shall be allowed to construct with the submission of a complete application. Pursuant to 401 KAR 50:055, Section 2(1)(a), an owner or operator of any affected facility subject to any standard within the administrative regulations of the Division for Air Quality shall demonstrate compliance with the applicable standard(s) within sixty (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. Pursuant to 401 KAR 52:020, Section 3(3)(c), sources that have not demonstrated compliance within the timeframes prescribed in 401 KAR 50:055, Section 2(1)(a), shall operate the affected facility only for purposes of demonstrating compliance unless authorized under an approved compliance plan or an order of the cabinet.
- e. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. Testing must also be conducted in accordance with General Provisions G.5 of this permit.
- f. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

SECTION G - GENERAL PROVISIONS (CONTINUED)**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

- a. 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.
- b. The permittee shall comply with all applicable requirements and conditions of the Acid Rain Permit and the Phase II permit application (including the Phase II NOx compliance plan and averaging plan, if applicable) incorporated into the Title V permit issued for this source. The source shall also comply with all requirements of any revised or future acid rain permit(s) issued to this source.

7. Emergency Provisions

- a. Pursuant to 401 KAR 52:020, Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or 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;

SECTION G - GENERAL PROVISIONS (CONTINUED)

- (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) Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.1-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
 - (5) This requirement does not relieve the source of other local, state or federal notification requirements.
- b. Emergency conditions listed in General Condition G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].
 - c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(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 82.155.
 - (5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156 and 40 CFR 82.157.
 - (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.
- 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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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

None

SECTION I - COMPLIANCE SCHEDULE

None