

**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: Axillon Aerospace (Erlanger), LLC
Mailing Address: 1400 Jamike Avenue
Erlanger, KY 41018

Source Name: Axillon Aerospace (Erlanger), LLC
Mailing Address: 1400 Jamike Avenue
Erlanger, KY 41018

Source Location: 1400 Jamike Avenue

Permit ID: F-26-015
Agency Interest #: 47225
Activity ID: APE20260001
Review Type: Conditional Major, Operating
Source ID: 21-015-00211

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

County: Boone

**Application
Complete Date:** March 26, 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
F-26-015	Renewal	APE20260001	3/26/2026		Renewal operating permit. Remove one compression mold (an insignificant activity).

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

Painting Operations

Emission Unit Number	Description/Process Equipment	Date Installed	Control Equipment	Applicable Regulations
01 (EP01/02)	Manual Paint Booth	2010	Polyester/Fiberglass Arrestor 99.98% Control Effectiveness for PM	401 KAR 59:010 40 CFR 63, Sub HHHHHH
06 (EP06)	Automatic Top Coat Booth/Flashoff Tunnel	2016	Paint Pockets Overspray Arrestor 99.84% Control Effectiveness for PM	401 KAR 59:010 40 CFR 63, Sub HHHHHH
08 (EP08)	Automatic Top Coat Booth Cure Oven Natural Gas, 0.5 MMBtu/hr	2016	None	40 CFR 63, Sub HHHHHH

APPLICABLE REGULATIONS:

401 KAR 50:012, *General Application. Section 1(5)*

401 KAR 59:010, *New process operations*

401 KAR 63:002, Section 2(4)(iiii), 40 C.F.R. 63.11169 through 63.11180, Table 1 (Subpart HHHHHH), *National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources*

1. Operating Limitations:

- a. The permittee shall not remove control equipment or discontinue procedures previously required in a nonattainment area to achieve the national ambient air quality standards until a state implementation plan containing different requirements has been approved by the U.S. EPA. Accordingly, the permittee must continue to comply with the requirements originally applicable to the emission unit used to preclude 401 KAR 59:225. [401 KAR 50:012, Section 1(5)]
- b. Wherever practicable, the permittee should utilize work practices to minimize emissions from non-process cleaning activities. [401 KAR 52:030, Section 10]
- c. The filters shall be in place and operated according to the manufacturer's specifications and recommendations at any time the associated spray booth is in use and replaced according to **4. Specific Monitoring Requirements** (b). [401 KAR 52:030, Section 10]
- d. All painters must be certified that they have completed training in the proper spray application of surface coatings and the proper setup and maintenance of spray equipment. The minimum requirements for training and certification are described in 40 CFR 63.11173(f). The spray application of surface coatings is prohibited by persons who are not certified as having completed the training described in 40 CFR 63.11173(f). Training and certification will be valid for a period not to exceed five years after the date the training is completed, and all personnel must receive refresher training that meets the requirements of

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

40 CFR 63.11173 and be re-certified every five years. [40 CFR 63.11173(e)(1); 40 CFR 63.11173(g)(3)]

- e. All spray-applied coatings must be applied in a spray booth, preparation station, or mobile enclosure that meets the requirements of 40 CFR 63.11173(e)(2)(i) and either 40 CFR 63.11173(e)(2)(ii), (iii), or (iv), as applicable. [40 CFR 63.11173(e)(2)]
 - i. All spray booths, preparation stations, and mobile enclosures must be fitted with a type of filter technology that is demonstrated to achieve at least 98 percent capture of paint overspray. The procedure used to demonstrate filter efficiency must be consistent with the ANSI/ASHRAE Standard 52.2-2017 (incorporated by reference, see 40 CFR 63.14). The filter efficiency shall be based on the difference between the quantity of dust injected and the quantity captured on the final filter with no test device in place. The filter will be challenged with 100 grams of loading dust and the final filter weight will be to the nearest 0.1 gram. EPA Method 319 of Appendix A to 40 CFR part 63 may be used as an alternative to ANSI/ASHRAE Standard 52.2-2017. Owners and operators may use published filter efficiency data provided by filter vendors to demonstrate compliance with this requirement and are not required to perform this measurement. The requirements of this paragraph do not apply to water wash spray booths that are operated and maintained according to the manufacturer's specifications. [40 CFR 63.11173(e)(2)(i)]
 - ii. Spray booths and preparation stations that are used to coat miscellaneous parts and products or vehicle subassemblies must have a full roof, at least three complete walls or complete side curtains, and must be ventilated so that air is drawn into the booth. The walls and roof of a booth may have openings, if needed, to allow for conveyors and parts to pass through the booth during the coating process. [40 CFR 63.11173(e)(2)(iii)]
- f. All spray-applied coatings must be applied with a high volume, low pressure (HVLP) spray gun, electrostatic application, airless spray gun, air-assisted airless spray gun, or an equivalent technology that is demonstrated by the spray gun manufacturer to achieve transfer efficiency comparable to one of the spray gun technologies listed above for a comparable operation, and for which written approval has been obtained from the Administrator. [40 CFR 63.11173(e)(3)]
- g. All paint spray gun cleaning must be done so that an atomized mist or spray of gun cleaning solvent and paint residue is not created outside of a container that collects used gun cleaning solvent. Spray gun cleaning may be done with, for example, hand cleaning of parts of the disassembled gun in a container of solvent, by flushing solvent through the gun without atomizing the solvent and paint residue, or by using a fully enclosed spray gun washer. A combination of non-atomizing methods may also be used. [40 CFR 63.11173(e)(4)]
- h. The permittee must be in compliance with the requirements in 40 CFR 63 Subpart HHHHHH at all times. At all times, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in

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

a manner consistent with safety and good air pollution control practices for minimizing emissions. [40 CFR 63.11173(h)]

2. Emission Limitations:

- a. No person shall 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:

Refer to **4. Specific Monitoring Requirements (a)** and **5. Specific Recordkeeping Requirements (a)**.

- b. No person shall cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 lb/hr. [401 KAR 59:010, Section 3(2)]

Compliance Demonstration Method:

Compliance with the mass emission standard is assumed based on the potential to emit for the emission unit when properly operating the control equipment. Refer to **4. Specific Monitoring Requirements (b)**, **5. Specific Recordkeeping Requirements (b)**, and **7. Specific Control Equipment Operating Conditions**.

- c. Refer to Section D for the source-wide VOC and HAP emission limitations.

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 perform a qualitative visual observation of the opacity of emissions at each stack no less than weekly while the affected facility is operating. If visible emissions from the stack 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 Reference 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 52:030, Section 10]
- b. The permittee shall visually inspect the filter once a day before the unit is operated (on days when a coating is applied) to ensure the manufacturer's recommendations are followed as replace when necessary. [401 KAR 52:030, Section 10]
- c. The permittee shall monitor paint booth maintenance necessary to comply with the requirements in section **1. Operating Limitations** daily. [401 KAR 52:030, Section 10]
- d. The permittee shall monitor the total amount of natural gas combusted at the facility, in MMscf, on a monthly basis. Compliance may be demonstrated using utility bills or readings from a single central meter. [401 KAR 52:030, Section 10]

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

- e. The permittee shall monitor the 12-month rolling total VOC and HAP emissions monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain a log of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements (a)** including the date, time, initials of observer, whether any emissions were observed (yes/no), and any U.S. EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain a log of the daily filter inspections, including the date, and document filter replacements. [401 KAR 52:030, Section 10]
- c. The permittee shall keep manufacturer's filter specifications on site. [401 KAR 52:030, Section 10; 40 CFR 63.11177(b)]
- d. The permittee shall maintain records of all paint booth maintenance necessary to comply with the emission limitations and operating conditions of the permit. [401 KAR 52:030, Section 10]
- e. The permittee shall maintain records of the amount of natural gas combusted, in MMscf, combusted on a monthly basis. [401 KAR 52:030, Section 10].
- f. The permittee shall maintain monthly records of all materials used containing HAP, including the product type, amount used, received, or purchased, and the weight percentages for all individual HAPs. [401 KAR 52:030, Section 10]
- g. At the end of each month, the permittee shall calculate HAP emissions according to Section D, and every month, a new 12-month rolling total for HAP emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]
- h. The permittee shall keep the following records specified in 40 CFR 63.11177(a) through (d) and (g):
 - i. Certification that each painter has completed the training specified in 40 CFR 63.11173(f) with the date the initial training and the most recent refresher training was completed. [40 CFR 63.11177(a)]
 - ii. Documentation of the filter efficiency of any spray booth exhaust filter material, according to the procedure in 40 CFR 63.11173(e)(2)(i). [40 CFR 63.11177(b)]
 - iii. Documentation from the spray gun manufacturer that each spray gun with a cup capacity equal to or greater than 3.0 fluid ounces (89 cc) that does not meet the definition of an HVLP spray gun, electrostatic application, airless spray gun, or air assisted airless spray gun, has been determined by the Administrator to achieve a transfer efficiency equivalent to that of an HVLP spray gun, according to the procedure in 40 CFR 63.11173(e)(4). [40 CFR 63.11177(c)]
 - iv. Copies of any notification submitted as required by 40 CFR 63.11175 and copies of any report submitted as required by 40 CFR 63.11176. [40 CFR 63.11177(d)]

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

- v. Records of any deviation from the requirements in 40 CFR 63.11173, 40 CFR 63.11174, 40 CFR 63.11175, or 40 CFR 63.11176. These records must include the date and time period of the deviation, and a description of the nature of the deviation and the actions taken to correct the deviation. [40 CFR 63.11177(g)]
- vi. Records of any assessments of source compliance performed in support of the initial notification, notification of compliance status, or annual notification of changes report. [40 CFR 63.11177(h)]
- i. The permittee must maintain copies of the records specified in 40 CFR 63.11177 for a period of at least five years after the date of each record. Copies of records must be kept on site and in a printed or electronic form that is readily accessible for inspection for at least the first two years after their date, and may be kept off-site after that two year period. [40 CFR 63.11178(a)]

6. Specific Reporting Requirements:

- a. The permittee shall submit a copy of the inspection and repair log for those times when corrective actions are required due to an opacity exceedance and/or records of any U.S. EPA Reference Method 9 opacity observations as noted in **4. Specific Monitoring Requirements (a)**. Copies of these records shall be submitted as a part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]
- b. The permittee shall report the number of gallons of each coating applied, the amount of VOC and HAP contained in the coatings, and the source wide monthly and 12-month rolling total VOC and HAP emissions as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]
- c. The permittee shall report the following information which occurred during each reporting period as a part of the semi-annual reporting as required in Section F (5) and (6): [401 KAR 52:030, Section 10]
 - i. A summary of filter purchase and usage records;
 - ii. Maintenance of paint booths related to air emissions, including date and times of maintenance; and
 - iii. Any deviations from permit requirements.
- d. The permittee is required to submit a report in each calendar year in which information previously submitted in either the initial notification required by 40 CFR 63.11175, Notification of Compliance, or a previous annual notification of changes report submitted under 40 CFR 63.11176(a), has changed. Deviations from the relevant requirements in 40 CFR 63.11173(a) through (d) or 40 CFR 63.11173(e) through (g) on the date of the report will be deemed to be a change. The annual notification of changes report must be submitted prior to March 1 of each calendar year when reportable changes have occurred and must include the information specified in 40 CFR 63.11176(a)(1) through (2). [40 CFR 63.11176(a)]

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

- i. The company's name and the street address (physical location) of the affected source and the street address where compliance records are maintained, if different. [40 CFR 63.11176(a)(1)]
 - ii. The name, title, address, telephone, e-mail address (if available) and signature of the owner and operator, or other certifying company official, certifying the truth, accuracy, and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of 40 CFR 63 Subpart HHHHHH or an explanation of any noncompliance and a description of corrective actions being taken to achieve compliance. [40 CFR 63.11176(a)(2)]
- e. On and after May 9, 2023, the owner or operator shall submit the Annual Notification of Changes Report required in 40 CFR 11176(a) via CEDRI (CEDRI can be accessed through the EPA's CDX (<https://cdx.epa.gov>)). The owner or operator must upload to CEDRI an electronic copy of each applicable report in PDF. The applicable report must be submitted by the deadline specified in 40 CFR 63 Subpart HHHHHH, regardless of the method in which the reports are submitted. Owners or operators who claim that some of the information required to be submitted via CEDRI is CBI shall submit a complete report, including information claimed to be CBI, on a compact disc, flash drive, or other commonly used electronic storage medium to the EPA. The electronic medium shall be clearly marked as CBI and mailed to U.S. EPA/OAQPS/CORE CBI Office, Attention: Paint Stripping and Miscellaneous Surface Coating Operations Sector Lead, MD C404-02, 4930 Old Page Rd., Durham, NC 27703. The same file with the CBI omitted shall be submitted to the EPA via the EPA's CDX as described earlier in this paragraph. [40 CFR 63.11176(c)]
- f. The permittee shall comply with the requirements of 40 CFR 63.11176(d) and (e) as applicable. [40 CFR 63.11176]

7. Specific Control Equipment Operating Conditions:

Refer to Section E.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 23 (EP 23) Crystal Clean Model 1678 Cold Cleaner****Emission Unit 24 (EP 24) Crystal Clean Model 1683 Paint Gun Cold Cleaner****Description:**

Cold Cleaner Degreasers using Crystal Clean cleaning solution.

Construction Date: 2025

APPLICABLE REGULATIONS:**401 KAR 59:185**, *New solvent metal cleaning equipment.***STATE-ORIGIN REQUIREMENTS:****401 KAR 63:020**, *Potentially hazardous matter or toxic substances.* (Applies to EP 24 only)**1. Operating Limitations:**

- a. The cold cleaner shall be equipped with a cover. If the solvent volatility is greater than fifteen (15) mm Hg measured at 100°F or if the solvent is agitated or heated, then the cover shall be designed so that it can be easily operated with one (1) hand. [401 KAR 59:185 Section 4(1)(a)]
- b. The cleaner shall be equipped with a drainage facility so that solvent that drains off parts removed from the cleaner will return to the cleaner. If the solvent volatility is greater than thirty-two (32) mm Hg measured at 100°F then the drainage facility shall be integral so that parts are enclosed under the cover while draining. The drainage facility may be external if the cabinet determines that an internal type cannot fit into the cleaning system. [401 KAR 59:185 Section 4(1)(b)]
- c. A permanent, conspicuous label, summarizing the operating requirements specified in 401 KAR 59:185 Section 4(2) 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 Section 4(1)(d)]
- e. If the solvent volatility is greater than thirty-two (32) mm Hg measured at 100°F or if the solvent is heated above 120°F, then one (1) of the following control devices shall be used: [401 KAR Section 4(1)(e)]
 - i. Freeboard height that gives a freeboard ratio greater than or equal to seven-tenths (0.7); [401 KAR Section 4(1)(e)(1)]
 - ii. Water cover, solvent shall be insoluble in and heavier than water; or [401 KAR Section 4(1)(e)(2)]
 - iii. Other systems of equivalent control, such as a refrigerated chiller or carbon adsorption. [401 KAR Section 4(1)(e)(3)]

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

- f. 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 Section 4(2)(a)]
- g. The degreaser cover shall be closed if not handling parts in the cleaner. [401 KAR Section 4(2)(b)]
- h. Cleaned parts shall be drained for a minimum of fifteen (15) seconds, or until dripping ceases, whichever is longer. [401 KAR Section 4(2)(c)]
- i. 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 Section 4(2)(d)]
- j. Work area fans shall be positioned so that air is not directed across the opening of the cold cleaner. [401 KAR Section 4(2)(e)]
- k. 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 Section 4(2)(f)]
- l. 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 Section 4(2)(g)]
- m. 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 Section 4(2)(h)]
- n. The following activity is prohibited: the operation of 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)]

Compliance Demonstration Method:

Refer to **5. Specific Recordkeeping Requirements** (a).

2. Emission Limitations:

- a. **Applicable to EP24:** 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]

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

- b. Refer to Section D for the source-wide VOC and HAP emission limitations.

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 shall monitor the 12-month rolling total VOC and HAP emissions monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records for a minimum of five (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;

ii. The date of the purchase;

iii. The type of solvent; and

iv. The vapor pressure of the solvent measured in mm Hg at 20° C (68° F).

- b. The permittee shall maintain all records, including SDS for each material used. These records shall be made available to the cabinet or the U.S. EPA upon request. Refer to Section F.2. [401 KAR 52:030, Section 10]

- c. The permittee shall maintain monthly records of all materials used containing VOC and HAP, including the product type, amount used and the weight percentages for VOC and all individual HAPs. [401 KAR 52:030, Section 10]

- d. At the end of each month, the permittee shall calculate VOC and HAP emissions according to Section D, and every month, a new 12-month rolling total for VOC and HAP emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

The permittee shall report the number of gallons of each solvent, the amount of VOC and HAP contained in the solvents, and the source wide monthly and 12-month rolling total VOC and HAP emissions as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 25 (EP 25) One Natural Gas-Fired Emergency Spark Ignition (SI) Reciprocating Internal Combustion Engine (RICE)**

Description: Emergency generator or back-up power.

Power Output Rated Capacity: 13.41 HP

Displacement: > 225cc

Model Year: 2009, (Manufacture Date Aug 2009)

Date Installed: 2025

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. The permittee shall operate and maintain stationary SI ICE that achieves the emission standards as required in 40 CFR 60.4233 over the entire life of the engine. [40 CFR 60.4234]
- b. The permittee shall operate the emergency stationary ICE according to the requirements in paragraphs (d)(1) through (3) of 40 CFR 60.4243. 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)]
 - i. There is no time limit on the use of emergency stationary ICE in emergency situations. [40 CFR 60.4243(d)(1)]
 - ii. The permittee may operate the emergency stationary ICE for the purpose 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)]
1. 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 owner or operator 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 owner or operator

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

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)]

- iii. 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)]

2. Emission Limitations:

- a. The permittee shall comply with the emission standards in 40 CFR 60.4231(a) for their stationary SI ICE. [40 CFR 60.4233(a)]

Emission Standard

	HC + NO_x	NMHC + NO_x	CO
g/KW-hr	12.1	11.3	610

Compliance Demonstration Method:

The permittee shall comply by purchasing an engine certified to the emission standards in 40 CFR 60.4231(a) for the same engine class and maximum engine power. The engine must be operated and maintained according to the manufacturer's emission-related written instructions and the permittee must keep records of conducted maintenance. [40 CFR 60.4243(a)].

- b. Refer to Section D for the source-wide VOC and HAP emission limitations.

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:

- a. For an emergency stationary SI internal combustion engine that is less than 130 HP, was built on or after July 1, 2008, and does not meet the standards applicable to non-emergency engines, the permittee must install a non-resettable hour meter upon startup of the emergency engine. [40 CFR 60.4237(c)]
- b. The permittee shall monitor the hours of operation on a monthly basis. [401 KAR 52:030, Section 10]
- c. The permittee shall monitor the 12-month rolling total VOC and HAP emissions monthly. [401 KAR 52:030, Section 10]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**5. Specific Recordkeeping Requirements:**

- a. The permittee shall keep records of the information in 40 CFR 60.4245(a)(1) through (4) of: [40 CFR 60.4245(a)]
 - i. All notifications submitted to comply with 40 CFR 63, Subpart JJJJ and all documentation supporting any notification. [40 CFR 60.4245(a)(1)]
 - ii. Maintenance conducted on the engine. [40 CFR 60.4245(a)(2)]
 - iii. 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)]
 - iv. 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. The permittee shall keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee shall 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. [40 CFR 60.4245(b)]
- c. At the end of each month, the permittee shall calculate VOC and HAP emissions according to Section D, and every month, a new 12-month rolling total for VOC and HAP emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

The permittee shall report the source-wide monthly and 12-month rolling total VOC and HAP emissions as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]

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. Lay-Up (Pre-Preg)	401 KAR 59:010
2. Solvent Cleaning	None
3. Wet Grinding Operation (CNC)	None
4. Injection Molding (9 Presses)	None
5. Compression Molding	None
6. Resin Transfer Molding	None
7. Silicone Bonding Process	None
8. Urethane Bonding Process	None
9. Lay-Up and Bonding Adhesive Process	None
10. Grinder Operations (Grind Room) 2 Machines	401 KAR 59:010
11. Dry Grinding Operations (CNC) 8 Machines	401 KAR 63:010
12. Anodizing	None
13. Abradable Molding Operation	None
14. Touch-Up Coating Operations	None
15. Mold Release Dip Tank	None

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. 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.
2. VOC, HAP, Particulate Matter, and Opacity 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.
 - a. Source-wide emissions of VOC shall not exceed 90 tons during any consecutive 12-month period. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

$$\text{Monthly VOC Emissions from Surface Coating Activities} = \sum_{i=1}^n M_i \rho_i$$

Where:

- ρ = weight percent of VOC in each solvent containing material less water and/or exempt solvent used during the month, (lbs/lb).
- i = individual solvent containing material (e.g. primer, enamel and thinner, etc.)
- n = total number of solvent containing materials used
- M = pounds of solvent containing material “i “ used

Source-wide VOC emissions = Σ [VOC emissions from spray coating operations] + Σ [VOC emissions from cold cleaning operations] + Σ [VOC emissions from combustion units] + Σ [VOC emissions from Insignificant Activities, if applicable]

- b. Combined emissions of VOC from EU 01, EU 06, and EU 08 shall not exceed 20 tons during any consecutive 12-month period. [401 KAR 50:012, Section 1(5)]

Compliance Demonstration Method

$$\text{Monthly VOC Emissions from Surface Coating Activities} = \sum_{i=1}^n M_i \rho_i$$

Where:

- ρ = weight percent of VOC in each solvent containing material less water and/or exempt solvent used during the month, (lbs/lb).
- i = individual solvent containing material (e.g. primer, enamel and thinner, etc.)
- n = total number of solvent containing materials used
- M = pounds of solvent containing material “i “ used

Combined EU 01, EU 06, and EU 08 VOC emissions = Σ [VOC emissions from EU 01] + Σ [VOC emissions from EU 06] + Σ [VOC emissions from EU 08]

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

- c. Source-wide emissions of any single HAP shall not exceed nine tons during any consecutive 12-month period. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

$$\text{Monthly HAP Emissions from Surface Coating Activities, } HAP_j = \sum_{i=1}^n M_i \rho_i$$

Where;

- ρ = weight percent of HAP_j in material “i”, (lbs/lb).
- i = individual HAP containing material (e.g. primer, enamel and thinner, etc.)
- j = individual HAP emission (e.g. naphthalene, xylene, etc.)
- n = total number of solvent containing materials used containing single HAP_j
- M = pounds of solvent containing material “i” used

Source-wide HAP emissions = \sum [HAP emissions from spray painting operations] + \sum [HAP emissions from Insignificant Activities]

- d. Source-wide emissions of Combined HAPs shall not exceed 22.5 tons during any consecutive 12-month period. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

$$\text{Combined HAP Emissions} = \sum_{j=1}^m HAP_j$$

- Where: j = individual HAP emission (e.g. xylene, etc.)
- m = total number of single HAP emissions

- e. Compliance with annual limits is based on a rolling 12-month total. Emissions shall be calculated on a monthly basis and shall be added to previous eleven months’ emissions to get the total actual emissions for each consecutive 12-month period.

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].
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

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

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.
 - 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

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

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].
- 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)].

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 52:030, 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.
- 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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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.

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

No construction authorized by this permit, F-26-015.

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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.

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 G - GENERAL PROVISIONS (CONTINUED)

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.
- 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