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: Cabot Corporation
Mailing Address: 2 Seaport Lane, Suite 1300, Boston, MA 02210

Source Name: Cabot Carrollton Plant
Mailing Address: 2 Seaport Lane, Suite 1300, Boston, MA 02210
Source Location: 5414 US Highway 42 East, Carrollton, KY 41008

Permit ID: F-17-040 R2
Agency Interest #: 133154
Activity ID: APE20210001
Review Type: Conditional Major, Operating
Source ID: 21-041-00054

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

County: Carroll

Complete Date: July 11, 2017
Issuance Date: October 28, 2017
Revision Date: 
Expiration Date: October 28, 2022

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

Version 4/1/2022
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<td>APE20170001</td>
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Version 9/4/2019
SECTION A - PERMIT AUTHORIZATION

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

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

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emission Point 01 (EP01): Product Handling/Storage (Product Vent Filter)
Includes the following streams routed to the inherent Product Vent Filter:
- Air stream separated by the denser silo inlet cyclone, overheads from the product storage silo and rerun silos, handling air used in the dense phase conveying package, air stream used for pulsing (cleaning filters), and handling air used for pneumatic loading of fumed silica product into trucks and/or railcars. One vent fan with an inherent filter controls the emissions from the single product handling emissions stack.

APPLICABLE REGULATIONS:
401 KAR 59:010, New process operations.

STATE-ORIGIN REQUIREMENTS:
401 KAR 63:020, Potentially hazardous matter or toxic substances.

1. Operating Limitations:
   a. Pursuant to 401 KAR 52:030, Section 10, the permittee shall operate and maintain the Product Vent Filter according to manufacturer’s specifications.

   b. The Product Vent Filter shall be operational at all times that EP01 is operating.

   c. Pursuant to 401 KAR 52:030, Section 10, the permittee shall operate and maintain the calciner manual discharge valve in a position no greater than the valve position during the most recent performance test approved by the Division at EP01.

2. Emission Limitations:
   a. Pursuant to 401 KAR 59:010, Section 3(1), 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.

      Compliance Demonstration Method:
      See 4. Specific Monitoring Requirements, Condition a. and 5. Specific Recordkeeping Requirements, Condition a.

   b. Pursuant to 401 KAR 59:010, Section 3(2), for emissions from a control device or stack 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 the quantity specified in Appendix A to 401 KAR 59:010 and summarized below:
      i. For process weight rates of 0.50 ton/hour or less: \( E = 2.34 \)
      ii. For process weight rates \( > 0.50 \text{ ton/hr} \) up to 30 tons/hr: \( E = 3.59 \times P^{0.62} \)
      iii. For process weight rates \( > 30 \text{ tons/hr} \): \( E = 17.31 \times P^{0.16} \)

      Where: \( E \) = the PM emissions rate in lb/hour, and \( P \) = the process rate ton/hour.

      Compliance Demonstration Method:
      See 4. Specific Monitoring Requirements, Condition b. and 5. Specific Recordkeeping Requirements, Condition b.
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

c. Pursuant to 401 KAR 63:020, persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. No owner or operator shall 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.

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

d. See Section D.

3. Testing Requirements:
   a. Pursuant to 401 KAR 50:045, Section 1, testing shall be conducted at such times as may be requested by the Cabinet.

   b. Pursuant to 401 KAR 52:030, Section 10, performance tests must also be conducted whenever process changes are made that could reasonably be expected to increase the outlet concentration of HCl. Examples of process changes include, but are not limited to, changes in production capacity, production rate, feedstock type, or catalyst type, or whenever there is replacement, removal, or addition of recovery equipment.

4. Specific Monitoring Requirements:
   a. Pursuant to 401 KAR 52:030, Section 10, the permittee shall perform a qualitative visual observation of the opacity of emissions from the Product Vent Filter on a weekly basis while EP01 is in operation. If visible emissions from the Product Vent Filter 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 at EP01 and associated filter system, including the denser inlet cyclone, which results in no visible emissions (not including condensed water in the plume). If visible emissions are present after the corrective action, the process shall be shut down and shall not operate again until repairs have been made that result in no visible emissions from the process during operation.

   b. The permittee shall monitor and record the pressure drop across the Product Vent Filter on a daily basis.
5. **Specific Recordkeeping Requirements:**
Pursuant to 401 KAR 52:030, Section 10, the permittee shall maintain the following records:

a. A weekly log of the qualitative visual observations made as specified in 4. **Specific Monitoring Requirements**, Condition 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.

b. A daily log of the pressure drop across the Product Vent Filter as required under 4. **Specific Monitoring Requirements**, Condition b.

c. Maintenance activities performed on Product Vent Filter and the associated filter system equipment, including the denser inlet cyclone.

d. Manufacturer’s operation and maintenance recommendations for the Product Vent Filter and associated filter system equipment, including the denser inlet cyclone.

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 Point 02 (EP02): Fumed Silica Production and Acid Recovery Plant
Includes equipment related to the fumed silica production process which is vented to the main
product bag filter that exhausts to the calciner, which is then treated in the acid plant for recovery
of hydrochloric acid. Residual gas is treated by a caustic scrubber before venting to the atmosphere.

Control Device: Caustic Scrubber

APPLICABLE REGULATIONS:
401 KAR 59:010, New process operations.

STATE-ORIGIN REQUIREMENTS:
401 KAR 63:020, Potentially hazardous matter or toxic substances.

NON-APPLICABLE REGULATIONS:
401 KAR 63:002, Section 2(4)(ssss), 40 C.F.R. 63.8980 through 63.9075, Tables 1 through 7
(Subpart NNNNNNN), National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid
Production.

1. Operating Limitations:
   a. To preclude applicability of 401 KAR 52:020, the permittee shall operate the control device
      at all times that EP02 is operating.

   b. Pursuant to 401 KAR 52:030, Section 10, for each emission stream from leaking equipment
      in HCl service, the permittee shall:
         i. Prepare and implement a site specific leak detection plan that describes in detail the
            measures that will be put in place to detect leaks and repair them in a timely fashion;
            and
         ii. Submit the plan to the Regional Office listed on the front of this permit prior to initial
             startup of EP02.

   c. Pursuant to 401 KAR 52:030, Section 10, for the caustic scrubber the permittee shall:
      i. Maintain the daily average scrubber recirculating liquid flow rate above the minimum
         operating limit as established during the most recent performance test approved by the
         Division; and
      ii. Maintain the daily average scrubber effluent pH above the minimum operating limit as
          established during the most recent performance test approved by the Division.

2. Emission Limitations:
   a. Pursuant to 401 KAR 59:010, Section 3(1), 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.

   Compliance Demonstration Method:
   For compliance with the opacity limit, refer to 4. Specific Monitoring Requirements,
   Condition a., and 5. Specific Recordkeeping Requirements, Condition a.
b. Pursuant to 401 KAR 59:010, Section 3(1), for emissions from a control device or stack 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 the quantity specified in Appendix A to 401 KAR 59:010 and summarized below:
   i. For process weight rates of 0.50 ton/hour or less: \( E = 2.34 \)
   ii. For process weight rates > 0.50 ton/hr up to 30 tons/hr: \( E = 3.59 \times P^{0.62} \)
   iii. For process weight rates > 30 tons/hr: \( E = 17.31 \times P^{0.16} \)

   Where: \( E \) = the PM emissions rate in lb/hour, and
   \( P \) = the process rate ton/hour.

   **Compliance Demonstration Method:**
   See 3. Testing Requirements.

c. Pursuant to 401 KAR 63:020, persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. No owner or operator shall 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.

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

d. See Section D.

3. **Testing Requirements:**
   a. Pursuant to 401 KAR 52:030, Section 10, within 5 years of the most recent performance test approved by the Division, the permittee shall conduct subsequent performance testing on the control device at EP02 using E.P.A. Reference Methods 5 and 26A to demonstrate compliance with 2. Emission Limitations, Condition b.; determine outlet concentration and hourly emission rate of HCl and Cl₂, and establish operating limits according to the following. If a series of control devices are used, the permittee shall establish separate operating limits for each device.
      i. The permittee shall establish the minimum value as the operating limit for the scrubber recirculating liquid flow rate. The minimum value shall be based on the scrubber recirculating liquid flow rate values measured during the performance test.
      ii. The permittee shall establish the minimum value as the operating limit for scrubber effluent pH. The minimum value shall be based on the scrubber effluent pH values measured during the performance test.

4. Specific Monitoring Requirements:
   a. Pursuant to 401 KAR 52:030, Section 10, the permittee shall perform a qualitative visual observation of the opacity of emissions from the caustic scrubber on a weekly basis while EP02 is in operation. If visible emissions from the caustic scrubber 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 at EP02 which results in no visible emissions (not including condensed water in the plume). If visible emissions are present after the corrective action, the process shall be shut down and shall not operate again until repairs have been made that result in no visible emissions from the process during operation.

   b. Pursuant to 401 KAR 52:030, Section 10, for each operating parameter that is required to be monitored under 1. Operating Limitations, Condition c., the permittee shall install, operate, and maintain each continuous monitoring system (CMS) according to the following requirements:
      i. The permittee shall operate each CMS and collect data at all times the process is operating.
      ii. The permittee shall collect data from at least four equally spaced periods each hour.
      iii. For at least 75 percent of the operating hours in a 24-hour period, the permittee shall have valid data for at least 4 equally spaced periods each hour.
      iv. For each hour that the permittee has valid data from at least four equally spaced periods, the permittee shall calculate the hourly average value using all valid data or, where data are collected from an automated CMS, using at least one measured value per minute if measured more frequently than once per minute.
      v. The permittee shall calculate the daily average using all of the hourly averages calculated according to Condition iv. above for the 24-hour period.
      vi. The permittee shall record the results for each inspection, calibration, and validation check recommended by the manufacturer.

   c. Pursuant to 401 KAR 52:030, Section 10, all monitoring equipment shall be installed, calibrated, maintained, and operated according to manufacturer's specifications or other written procedures that provide adequate assurance that the equipment would reasonably be expected to monitor accurately. For each monitoring system the permittee shall develop, implement, and submit to the Regional Office listed on the front page of this permit, a site-specific monitoring plan that addresses the installation requirements in Conditions i. through iii. below, and the ongoing procedures in Conditions iv. through vi. below. Upon request of the Division, the permittee shall promptly correct any deficiencies in a site-specific monitoring plan and submit the revised plan.
      i. Installation of the continuous monitoring system (CMS) sampling probe or other interface at a measurement location relative to each affected process unit such that the measurement is representative of control of the exhaust emissions (e.g., on or downstream of the last control device).
      ii. Performance and equipment specifications for the sample interface, the pollutant concentration or parametric signal analyzer, and the data collection and reduction system.
      iii. Performance evaluation procedures and acceptance criteria (e.g., calibrations).
iv. Ongoing operation and maintenance (O&M) procedures.

v. Ongoing data quality assurance procedures.

vi. Ongoing recordkeeping and reporting procedures.

5. Specific Recordkeeping Requirements:
Pursuant to 401 KAR 52:030, Section 10, the permittee shall maintain the following records for a period of at least five years:

a. A weekly log of the qualitative visual observations made as specified in 4. Specific Monitoring Requirements, Condition 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.

b. Records of the rolling 12-month totals of HCl emissions and Cl₂ emissions from the acid recovery plant.

c. The daily average of the following:
   i. Scrubber recirculating liquid flow rate; and
   ii. Scrubber effluent pH.

d. A copy of the manufacturer’s recommendations for each CMS.

e. All records associated with the site-specific monitoring plan as specified in 4. Specific Monitoring Requirements, Condition c.

f. The hours of operation of EP02.

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 Point 03a and 03b (EP03a and EP03b): H₂ Reformer Furnaces

Description:
The H₂ Reformer Furnaces will react methane with steam to produce H₂. Natural gas supplied by the local utility will serve two purposes: the methane portion of pipeline quality natural gas will be used as the raw material in the furnaces, and the natural gas will be the fuel fired in the furnaces to generate the heat of reaction.

Air Products Steam Methane Reformer (SMR)
Heat Input Capacity: 13.96 MMBtu/hr each
Fuel: Natural Gas
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.

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

401 KAR 63:002, Section 2(4)(jjjjj), 40 C.F.R. 63.11193 through 63.11237, Tables 1 through 8 (Subpart JJJJJ), National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

1. Operating Limitations:
   a. Pursuant to 401 KAR 59:015, Section 7(1)(a), the permittee shall comply with 401 KAR 50:055, Section 2(5).

   b. Pursuant to 401 KAR 59:015, Section 7(1)(b), the frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility.

   c. Pursuant to 401 KAR 59:015, Section 7(1)(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.

   d. Pursuant to 401 KAR 59:015, Section 7(1)(d), the actions, including duration of the startup period, of the permittee of each affected facility during startup periods and shutdown periods, shall be documented by signed, contemporaneous logs or other relevant evidence.

   e. Pursuant to 401 KAR 59:015, Section 7(1)(e), startups and shutdowns shall be conducted according to either:
      (1) The manufacturer’s recommended procedures or,
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.

Compliance Demonstration Method:
See 5. Specific Recordkeeping Requirements, Condition a.

2. Emission Limitations:
   a. Pursuant to 401 KAR 59:015, Section 4(1)(c), the permittee shall not cause emissions of particulate matter (PM) in excess of 0.42 lb/MMBtu/hr actual heat input.

      Compliance Demonstration Method:
      Compliance with the particulate emission limit is demonstrated while burning only natural gas.

   b. Pursuant to 401 KAR 59:015, Section 4(2), the permittee shall not cause emission of particulate matter in excess of 20 (twenty) percent opacity except as provided below:
      i. A maximum of 40 (forty) percent opacity shall be allowed for a maximum of six (6) consecutive minutes in any sixty (60) consecutive minutes during fire box cleaning or soot blowing; and
      ii. For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer’s recommendations.

      Compliance Demonstration Method:
      Compliance with the opacity limit is demonstrated while burning only natural gas.

   c. Pursuant to 401 KAR 59:015, Section 5(1)(c)2.b., the permittee shall not cause emissions of gases that contain sulfur dioxide (SO₂) in excess of 1.83 lb/MMBtu actual heat input.

      Compliance Demonstration Method:
      Compliance with the SO₂ limit is demonstrated while burning only natural gas.

   d. Pursuant to 401 KAR 63:020, persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. No owner or operator shall 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.

      Compliance Demonstration Method:
      Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information
SECTI ON B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020

e. See Section D.

3. Testing Requirements:
   Pursuant to 401 KAR 50:045, Section 1, testing shall be conducted at such times as may be requested by the Cabinet.

4. Specific Monitoring Requirements:
   See Section F, Monitoring, Recordkeeping, and Reporting Requirements.

5. Specific Recordkeeping Requirements:
   a. Pursuant to 401 KAR 52:030, Section 10, the permittee shall keep records of the recommended procedures for startup and shutdown as provided by the manufacturer, or those of 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.

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

6. Specific Reporting Requirements:
   See Section F, Monitoring, Recordkeeping, and Reporting Requirements.
Emission Point 04 (EP04): Emergency Generator

Description:
Certified Emergency Generator (617 HP or 460 kW)
Model: Generator-Kohler 400REOZJB, Engine-John Deere 6135HFG84
Fuel: Ultra Low Sulfur Diesel
Displacement: 2.33 liters per cylinder
Max Fuel Rating: 0.0309 Mgal/hr
Engine family: JJDXL13.5146
EPA Certification: JJDXL13.5146-011
Engine Model Year: 2018

APPLICABLE REGULATIONS:
401 KAR 60:005, Section 2(2)(ddddd), 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)(eeeee), 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.

Note: D.C. Circuit Court [Delaware v. EPA, 785 F. 3d 1 (D.C. Cir. 2015)] has vacated the provisions in 40 CFR 63, Subpart ZZZZ and 40 CFR 60, Subpart IIII that contain the 100-hour exemption for operation of emergency engines for purposes of emergency demand response under 40 CFR 63.6640(f)(2)(ii)-(iii) and 40 CFR 60.4211(f)(2)(ii)-(iii). The D.C. Circuit Court issued the mandate for the vacatur on May 4, 2016.

1. Operating Limitations:
   a. Pursuant to 40 CFR 63.6590(c), the permittee must meet the requirements of 40 CFR 63, Subpart ZZZZ by meeting the requirements of 40 CFR 60, Subpart IIII, for compression ignition engines. No further requirements apply for such engines under 40 CFR 63, Subpart ZZZZ.

   b. Pursuant to 40 CFR 60.4206, the permittee shall operate and maintain stationary CI ICE that achieve the emission standards as required in 40 CFR 60.4205 over the entire life of the engine.

   c. Pursuant to 40 CFR 60.4207(b), beginning October 1, 2010, the permittee shall use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel.

   d. Pursuant to 40 CFR 60.4209(a), if the emergency stationary CI internal combustion engine does not meet the standards applicable to non-emergency engines, the permittee shall install a non-resettable hour meter prior to startup of the engine.

   e. Pursuant to 40 CFR 60.4211(f), the permittee must 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)-(3), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 60.4211(f)(1)-(3), the engine will not be considered an emergency engine under 40 CFR 60, Subpart III and must meet all requirements for non-emergency engines.

i. There is no time limit on the use of emergency stationary ICE in emergency situations.

ii. The permittee may operate the emergency stationary ICE for the purpose specified in 40 CFR 60.4211(f)(2) 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).

(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 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.

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 60.4211(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.

(1) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

A. The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

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.

C. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

D. The power is provided only to the facility itself or to support the local transmission and distribution system.

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.

f. Pursuant to 40 CFR 60.4211(g), if the permittee does not install, configure, operate, and maintain the engines and control devices according to the manufacturer's emission-related written instructions, or the permittee changes emission-related settings in a way that is not
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

permitted by the manufacturer, the permittee must demonstrate compliance as referenced in 40 CFR 60.4211(g)(2) and (3) as applicable.

2. Emission Limitations:
   a. Pursuant to 40 CFR 60.4205(b) and 40 CFR 60.4202(a)(2) the permittee of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the Tier 2 or Tier 3 emission standards for new nonroad CI engines for the same rated power as described in 40 CFR part 1039, appendix I, for all pollutants and the smoke standards as specified in 40 CFR 1039.105 for their 2007 model year and later emergency stationary CI ICE as follows:
      i. The emissions of NMHC+NOX shall not exceed 4.0 g/kW-hr.
      ii. The emissions of CO shall not exceed 3.5 g/kW-hr.
      iii. The emissions of PM shall not exceed 0.20 g/kW-hr.

   Compliance Demonstration Method:
   i. Pursuant to 40 CFR 60.4211(c), the permittee shall comply by purchasing an engine certified to the emission standards in 40 CFR 60.4205(b) for the same model year and maximum 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); and

   ii. Pursuant to 40 CFR 60.4211(a)(1) through (3), the permittee shall operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer’s emission-related written instructions; change only those emission-related settings that are permitted by the manufacturer; and meet the requirements of 40 CFR part 1068, as they apply.

   b. See Section D.

3. Testing Requirements:
   Pursuant to 401 KAR 50:045, Section 1, testing shall be conducted at such times as may be requested by the Cabinet.

4. Specific Monitoring Requirements:
   a. Pursuant to 401 KAR 52:030, Section 10, the permittee shall monitor the fuel usage (gallons), and hours of operation for the engine on a monthly basis.

   b. See 1. Operating Limitations, Condition c. and 5. Specific Recordkeeping Requirements, Condition a.
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. **Specific Recordkeeping Requirements:**
   a. Pursuant to 40 CFR 60.4214(b) and Table 5 to 40 CFR 60, Subpart III, 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.
   b. Pursuant to 40 CFR 60.4214(c), if the stationary CI internal combustion engine is equipped with a diesel particulate filter, the permittee shall keep records of any corrective action taken after the backpressure monitor has notified the permittee that the high backpressure limit of the engine is approached.

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 Point 05 (EP05): Fugitive Equipment Leak Components

STATE-ORIGIN REQUIREMENTS:
401 KAR 63:020, Potentially hazardous matter or toxic substances.

1. **Operating Limitations:**
Pursuant to 401 KAR 52:030, Section 10, for each emission stream from leaking equipment in HCl service, the permittee shall prepare and operate at all times according to an equipment Leak Detection and Repair (LDAR) plan that describes in detail the measures that will be put in place to detect leaks and repair them in a timely fashion.

2. **Emission Limitations:**
a. Pursuant to 401 KAR 63:020, persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. No owner or operator shall 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.

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

   b. See Section D.

3. **Testing Requirements:**
Pursuant to 401 KAR 50:045, Section 1, testing shall be conducted at such times as may be requested by the Cabinet.

4. **Specific Monitoring Requirements:**
   See Section F, Monitoring, Recordkeeping, and Reporting Requirements.

5. **Specific Recordkeeping Requirements:**
Pursuant to 401 KAR 52:030, Section 10, the permittee shall keep a copy of the equipment LDAR plan required under 1. **Operating Limitations** on-site at all times.

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 Point 06 and 07 (EP06 and EP07): Calciner Furnace 1 and 2

Description:
Unit: Calciner Furnace 1, Custom Model from Kilburn India
Heat Input Capacity: 3.6 MMBtu/hr
Fuel: Natural Gas
Controls: None

Unit: Calciner Furnace 2, Custom Model from BDC
Heat Input Capacity: 2.0 MMBtu/hr
Fuel: Natural Gas
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.

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

401 KAR 60:005, Section 2(2)(www), 40 C.F.R. 60.730 through 60.737 (Subpart UUU), Standards of Performance for Calciners and Dryers in Mineral Industries.

401 KAR 63:002, Section 2(4)(jjjjj), 40 C.F.R. 63.11193 through 63.11237, Tables 1 through 8 (Subpart JJJJJJ), National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

1. Operating Limitations:
   a. Pursuant to 401 KAR 59:015, Section 7(1)(a), the permittee shall comply with 401 KAR 50:055, Section 2(5).

   b. Pursuant to 401 KAR 59:015, Section 7(1)(b), the frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility.

   c. Pursuant to 401 KAR 59:015, Section 7(1)(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.

   d. Pursuant to 401 KAR 59:015, Section 7(1)(d), the actions, including duration of the startup period, of the permittee of each affected facility during startup periods and shutdown periods, shall be documented by signed, contemporaneous logs or other relevant evidence.

   e. Pursuant to 401 KAR 59:015, Section 7(1)(e), startups and shutdowns shall be conducted according to either:
      (1) The manufacturer’s recommended procedures or,
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.

Compliance Demonstration Method:
See 5. Specific Recordkeeping Requirements, Condition a.

2. Emission Limitations:
   a. Pursuant to 401 KAR 59:015, Section 4(1)(c), the permittee shall not cause emissions of particulate matter (PM) in excess of 0.42 lb/MMBtu actual heat input.

   Compliance Demonstration Method:
   Compliance with the particulate emission limit is demonstrated while burning only natural gas.

   b. Pursuant to 401 KAR 59:015, Section 4(2), the permittee shall not cause emission of particulate matter in excess of 20 (twenty) percent opacity except as provided below:
      i. A maximum of 40 (forty) percent opacity shall be allowed for a maximum of six (6) consecutive minutes in any sixty (60) consecutive minutes during fire box cleaning or soot blowing; and
      ii. For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer’s recommendations.

   Compliance Demonstration Method:
   Compliance with the opacity limit is demonstrated while burning only natural gas.

   c. Pursuant to 401 KAR 59:015, Section 5(1)(c)2.b., the permittee shall not cause emissions of gases that contain sulfur dioxide (SO₂) in excess of 1.83 lb/MMBtu actual heat input.

   Compliance Demonstration Method:
   Compliance with the SO₂ limit is demonstrated while burning only natural gas.

   d. Pursuant to 401 KAR 63:020, persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. No owner or operator shall 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.

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

e. See Section D.

3. **Testing Requirements:**
Pursuant to 401 KAR 50:045, Section 1, testing shall be conducted at such times as may be requested by the Cabinet.

4. **Specific Monitoring Requirements:**
See Section F, Monitoring, Recordkeeping, and Reporting Requirements.

5. **Specific Recordkeeping Requirements:**
a. Pursuant to 401 KAR 52:030, Section 10, the permittee shall keep records of the recommended procedures for startup and shutdown as provided by the manufacturer, or those of 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.

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

6. **Specific Reporting Requirements:**
See Section F, Monitoring, Recordkeeping, and Reporting Requirements.
SECTION C - INSIGNIFICANT ACTIVITIES

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

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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. Hydrochloric acid, chlorine and particulate matter 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.

3. To preclude applicability of 401 KAR 52:020, Title V permits, source wide emissions of any single hazardous air pollutant (HAP) shall not exceed 9 tons per year, and source wide combined HAP emissions shall not exceed 22.5 tons per year.

**Compliance Demonstration Method:**
Compliance with the annual emissions and processing limitations imposed pursuant to 401 KAR 52:030, Section 1, and contained in this permit, shall be based on the sum of the monthly emission rates from each emission point in Section B and Section C during each twelve (12) consecutive month period, including any emissions from trials conducted at the facility. The monthly emission rates shall be defined as:

\[ \sum [\text{Processing rate for each emission point}] \times [\text{Respective emission factor}] \]

The permittee shall maintain monthly records, readily accessible to Division personnel upon request, of source wide emission and processing rates.
SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

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

1. Pursuant to Section 1b-IV-1 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030 Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
   a. Date, place (as defined in this permit), and time of sampling or measurements;
   b. Analyses performance dates;
   c. Company or entity that performed analyses;
   d. Analytical techniques or methods used;
   e. Analyses results; and
   f. Operating conditions during time of sampling or measurement.

2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five (5) years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030, Section 3(1)(f)1a, and Section 1a-7 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].

3. In accordance with the requirements of 401 KAR 52:030, Section 3(1)f, the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
   a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
   b. To access and copy any records required by the permit;
   c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.
Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].
SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030, Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.

7. In accordance with the provisions of 401 KAR 50:055, Section 1, the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
   a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
   b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.

8. The permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken shall be submitted to the Regional Office listed on the front of this permit. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement does not identify a specific time frame for reporting deviations, prompt reporting, as required by Sections 1b-V, 3 and 4 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26 shall be defined as follows:
   a. For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
   b. For emissions of any regulated air pollutant, excluding those listed in F.8.a., that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
   c. All deviations from permit requirements, including those previously reported, shall be included in the semiannual report required by F.6.

9. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
   a. Identification of each term or condition;
   b. Compliance status of each term or condition of the permit;
   c. Whether compliance was continuous or intermittent;
   d. The method used for determining the compliance status for the source, currently and over the reporting period.
   e. For an emissions unit that was still under construction or which has not commenced operation
SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, Florence Regional Office, 8020 Veterans Memorial Drive, Suite 110, Florence, KY 41042.

10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within 30 days of the date the Kentucky Emissions Inventory System (KYEIS) emissions survey is mailed to the permittee. If a KYEIS emissions survey is not mailed to the permittee, then the permittee shall comply with all other emissions reporting requirements in this permit.

11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
   a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
      (1) The size and location of both the original and replacement units; and
      (2) Any resulting change in emissions;
   b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
   c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
   d. The replacement unit shall comply with all applicable requirements; and
   e. The source shall notify Regional office of all shutdowns and start-ups.
   f. Within six (6) months after installing the replacement unit, the owner or operator shall:
      (1) Re-install the original unit and remove or dismantle the replacement unit; or
      (2) Submit an application to permit the replacement unit as a permanent change.
SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

a. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030, Section 3(1)(b), and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a-2 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].

b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a-5 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].

c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030, Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:

(1) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030, Section 12;

(2) The Cabinet or the United States Environmental Protection Agency (U. S. EPA) determines that the permit must be revised or revoked to assure compliance with the applicable requirements;

(3) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

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

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

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.
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 52:030, 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 permit F-17-040 R2.
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 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.


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.
SECTION G - GENERAL PROVISIONS (CONTINUED)

(5) Notification of the Division does not relieve the source of any other local, state or federal notification requirements.

b. Emergency conditions listed in General Provision G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030, Section 23(3)].

c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030, Section 23(2)].

8. Ozone depleting substances

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

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.


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

None

SECTION I - COMPLIANCE SCHEDULE

None