Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Environmental Protection
Division for Air Quality
300 Sower Boulevard, 2nd Floor
Frankfort, Kentucky 40601
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Draft

AIR QUALITY PERMIT

Issued under 401 KAR 52:030

Permittee Name:	**Darling Ingredients Inc.**
Mailing Address:	**3080 Concord Road** **Russellville, KY 42276-8511**
Source Name:	**Darling Ingredients Inc.**
Mailing Address:	**3080 Concord Road** **Russellville, KY 42276-8511**
Source Location:	**3080 Concord Road**
Permit ID:	**F-26-039**
Agency Interest #:	**2753**
Activity ID:	**APE20260002**
Review Type:	**Conditional Major, Operating**
Source ID:	**21-141-00026**
Regional Office:	**Bowling Green Regional Office** **2642 Russellville Road** **Bowling Green, KY 42101** **(270) 746-7475**
County:	**Logan**
Application Complete Date:	**August 27, 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-26-039	Renewal	APE20260002	8/27/2026		Permit Renewal

SECTION A - PERMIT AUTHORIZATION

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

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, 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 Unit 04, 05, & 06 (EP 04, 05, & 06) **Three Gas -Fired Indirect Heat Exchangers (Boilers #3, #4, & #5)**

Description:

Model:	Hurst S4X-GA2-1200-150
Construction Commenced:	2006
Fuel Input:	50.235 MMBtu/hr each
Primary Fuel:	Natural gas
Secondary Fuels	Processed fats & low sulfur diesel w/sulfur content < 0.05%
Controls:	None

APPLICABLE REGULATIONS:

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

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

PRECLUDED REGULATIONS:

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 of Performance for Industrial, Commercial, and Institutional Boilers Area Sources*

1. Operating Limitations:

a. The sulfur content of low sulfur diesel shall not exceed 0.05 percent by weight per ASTM standards [self-imposed to preclude 401 KAR 52:020].

***Compliance Demonstration*:**
The permittee shall demonstrate compliance by fulfilling **3.b. Testing Requirements**.

b. To preclude the applicability of 40 CFR 63, Subpart JJJJJJ, this unit shall meet the definition of "gas-fired unit" under 40 CFR 63, Subpart JJJJJJ. This unit shall burn liquid fuel only during periods of natural gas curtailment, natural gas supply emergencies, startups, or for periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training of liquid fuel shall not exceed a combined 48 hours during any calendar year [40 CFR 63.11195(e)].

Compliance Demonstration:
The permittee shall maintain records that document the time periods when liquid fuel is fired and the reasons the liquid fuel is fired.

c. If the permittee fires liquid fuel for reasons other than gas curtailment, gas supply interruptions, startups, or for periodic testing on liquid fuel, the permittee is no longer exempt from 40 CFR 63, Subpart JJJJJJ for the applicable unit(s). Pursuant to 40 CFR 63.11225(g), the permittee shall provide notice within 30 days of the fuel switch. The notification shall identify: [40 CFR 63.11225(g)]

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

i. The name of the permittee of the affected source, the location of the source, the boiler(s) that have switched fuels or were physically changed, and the date of the notice. [40 CFR 63.11225(g)(1)]

ii. The date upon which the fuel switch or physical change occurred. [40 CFR 63.11225(g)(2)]

Compliance Demonstration:
The permittee shall demonstrate compliance with all applicable requirements of 40 CFR 63, Subpart JJJJJJ within 180 days of the effective date of the fuel switch or the physical change [40 CFR 63.11210(h)].

d. During a startup period or a shutdown period, the permittee shall comply with the following work practice standards [401 KAR 59:015, Section 7(1)]:

i. The permittee shall comply with 401 KAR 50:055, Section 2(5) [401 KAR 59:015, Section 7(1)(a)];

ii. The frequency and duration of startup periods or shutdown periods shall be minimized [401 KAR 59:015, Section 7(1)(b)];

iii. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the emission units during startup periods and shutdown periods [401 KAR 59:015, Section 7(1)(c)];

iv. The actions, including duration of the startup period, during startup periods and shutdown periods, shall be documented by signed, contemporaneous logs or other relevant evidence [401 KAR 59:015, Section 7(1)(d)]; and

v. Startups and shutdowns shall be conducted according to either [401 KAR 59:015, Section 7(1)(e)]:

1. The manufacturer's recommended procedures [401 KAR 59:015, Section 7(1)(e)1.]; or

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 of the emission units [401 KAR 59:015, Section 7(1)(e)2.].

Compliance Demonstration:
The permittee shall maintain records of the manufacturer's recommended procedures for startup and shutdown, any instance in which the recommended procedures were not followed, and any corrective actions taken.

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

2. Emission Limitations:

a. While burning low sulfur diesel and processed fats, sulfur dioxide emissions shall not exceed 0.50 lb/MMBtu heat input for each unit, based on a 30-day rolling average [40 CFR 60.42c(d)].

***Compliance Demonstration*:**

1. For processed fats see **3. Testing Requirements: (c)**.

2. As an alternative to the emission limit while burning low sulfur diesel, the permittee shall not combust low sulfur diesel that contains greater than 0.5 weight percent sulfur. The permittee may use fuel supplier certification to meet this requirement [40 CFR 60.42c(d) and 40 CFR 60.42c(h)(1)].

b. While burning natural gas, the permittee shall not cause emissions of gases that contain sulfur dioxide in excess of 0.81 lb/MMBtu actual heat input [401 KAR 59:015, Section 5(1)(c)(2)].

***Compliance Demonstration*:**

Compliance is assumed while burning natural gas.

c. Units that combust only low sulfur diesel containing no more than 0.50 weight percent sulfur, or a mixture of 0.50 weight percent sulfur diesel with other fuels not subject to a particulate matter standard under 40 CFR 60.43c, are not subject to a particulate matter limit under 40 CFR 60.43c [40 CFR 60.43c(e)(4)].

***Compliance Demonstration*:**

See **3. Testing Requirements: (b)** & **(c)**.

d. The sulfur dioxide emission limits and low sulfur diesel sulfur limits under this subsection apply at all times, including periods of startup, shutdown, and malfunction [40 CFR 60.42c(i)].

e. The permittee shall not cause emissions of particulate matter in excess of 0.26 lb/MMBtu actual heat input from each unit [401 KAR 59:015, Section 4].

***Compliance Demonstration*:**

Compliance with the particulate matter emission limitation is assumed when combusting natural gas, low sulfur diesel, or processed fats.

f. While burning natural gas or processed fats, the permittee shall not cause emissions of particulate matter in excess of 20 percent opacity from each stack except: [401 KAR 59:015, Section 4(2)]

i. A maximum of 40 percent opacity shall be allowed for a maximum of 6 consecutive minutes in any 60 consecutive minutes during fire box cleaning or soot blowing; and [401 KAR 59:015, Section 4(2)(b)]

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

ii. For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boilers up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015 Section 4(2)(c)]

***Compliance Demonstration*:**
Compliance with the opacity standard is assumed while burning natural gas. While burning processed fats, the permittee will demonstrate compliance according to **4. Specific Monitoring Requirements: (d).**

g. While burning low sulfur diesel, the permittee shall not cause to be discharged into the atmosphere any gases that exhibit greater than 20 percent opacity (six-minute average), except for one six-minute period per hour of not more than twenty-seven (27) percent opacity. [40 CFR 60.43c(c)]

***Compliance Demonstration*:**
In the absence of a continuous opacity monitoring system, the permittee shall demonstrate compliance by conducting U.S. EPA Reference Method 9 testing upon combustion of low sulfur diesel and then according to the schedule below. If during the initial 60 minutes of observation all six-minute averages are less than ten percent and all individual 15-second observations are less than or equal to 20 percent, the observation period may be reduced from three hours to 60 minutes. The permittee shall also comply with the following conditions as applicable [40 CFR 60.47c(a)].

1. The permittee shall conduct subsequent U.S. EPA Reference Method 9 testing using the procedure as stated above and according to the applicable schedule below, as determined by the most recent U.S. EPA Reference Method 9 test results. [40 CFR 60.47c(a)(1)]

Highest 6-minute average opacity observed	Subsequent testing shall be conducted within the period specified following the most recent performance test
0%	12 calendar months
0% < opacity ≤ 5%	6 calendar months
5% < opacity ≤ 10%	3 calendar months
> 10%	30 calendar days

2. If the maximum six-minute opacity is less than ten percent during the most recent U.S. EPA Reference Method 9, the permittee may, as an alternative to performing subsequent U.S. EPA Reference Method 9 testing, elect to perform U.S. EPA Reference Method 22 according to the following: [40 CFR 60.47c(a)(2)]

   i. The permittee shall conduct ten-minute observations (during normal operation) each operating day the units fire low sulfur diesel and demonstrate that the sum of the occurrences of any visible emissions is not in excess of five percent of the observation period (i.e., 30 seconds per ten-minute period). If the sum of the occurrence of any visible emissions is greater than 30 seconds during the initial

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ten-minute observation, the permittee shall immediately conduct a 30-minute observation (i.e., 90 seconds) or conduct a new U.S. EPA Reference Method 9 within 30 calendar days. [40 CFR 60.47c(a)(2)(i)]

ii. If no visible emissions are observed for 30 operating days of firing low sulfur diesel, observations can be reduced to once every seven operating days. If any visible emissions are observed, daily observations shall be resumed. [40 CFR 60.47c(a)(2)(ii)]

3. If the maximum six-minute opacity is less than 10% during the most recent U.S. EPA Reference Method 9 testing, the permittee may, as an alternative to performing subsequent U.S. EPA Reference Method 9 testing, elect to perform subsequent monitoring using a digital opacity compliance system according to a U.S. EPA-approved site-specific monitoring plan. The observations shall be similar, but not necessarily identical to the above-mentioned requirement. [40 CFR 60.47c(a)(3)]

h. See Section D for source-wide limitations.

3. Testing Requirements:

a. The permittee shall submit a schedule within 30 days of combusting processed fats or low sulfur diesel to conduct at least one performance test (stack test) on these units for each fuel. The performance test shall be conducted for nitrogen oxides according to U.S. EPA Reference Method 7. These tests shall be completed within six months following the submission of the schedule to conduct the performance test [401 KAR 50:045].

b. The permittee shall conduct an analysis on low sulfur diesel for sulfur concentration (weight percent) and heat content (MMBtu/gallon) after each new shipment according to an approved U.S. EPA or ASTM test method. The permittee may use fuel supplier certification to meet this requirement for low sulfur diesel [401 KAR 50:055, 40 CFR 60.44c(g) and 40 CFR 60.46c(d)(2)].

c. If the permittee elects to operate Emission Units 04, 05 or 06 using processed fats, the permittee shall conduct an analysis on processed fats for sulfur concentration (ppm) and heat content (MMBtu/gallon) of the fuel and shall conduct subsequent analyses no later than 12 months following the prior analysis [401 KAR 50:055].

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

4. Specific Monitoring Requirements:

a. The permittee shall monitor the sulfur (weight percent) and heat content (MMBtu/gallon) of each shipment of low sulfur diesel received. The permittee may use fuel supplier certification for low sulfur diesel [401 KAR 52:030, Section 10].

b. If the permittee elects to operate Emission Units 04, 05 and 06 using processed fats, the permittee shall monitor the sulfur (ppm) and heat content (MMBtu/gallon) of processed

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

fats burned in these units and shall conduct subsequent analyses no later than 12 months following the prior analysis[401 KAR 52:030, Section 10].

c. The permittee shall monitor the type and amount (standard cubic feet for natural gas and gallons for all liquid fuels) of each fuel burned on a monthly basis [401 KAR 52:030, Section 10].

d. While firing processed fats, the permittee shall perform a qualitative visual observation of the emissions from the stack on a weekly basis and maintain a log of the observations. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA 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]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records according to the requirements specified below as applicable to the visible emissions monitoring method used.

i. For each performance test conducted using U.S. EPA Reference Method 9, the permittee shall maintain records including: the dates and time intervals of all opacity observation periods; name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test; and copies of all visible emission observer opacity field data sheets.

ii. For each performance test conducted using U.S. EPA Reference Method 22, the permittee shall maintain records including: dates and time intervals of all visible emissions observation periods; name and affiliation for each visible emission observer participating in the performance test; copies of all visible emission observer opacity field data sheets; and documentation of any adjustments made and the time the adjustments were completed to these units by the permittee to demonstrate compliance with the applicable monitoring requirements.

iii. For each digital opacity compliance system, the permittee shall maintain records and submit reports according to the requirements specified in the U.S. EPA approved site-specific monitoring plan.

[40 CFR 60.48c(c), and 401 KAR 52:030, Section 10]

b. The permittee shall record the type and amount of each fuel combusted monthly shall be maintained as follows:

i. The permittee shall identify the fuel by type (i.e., natural gas, processed fats, and low sulfur diesel) and fuel usage shall be expressed in standard cubic feet for natural gas and gallons for liquids.

ii. MSDS and fuel analysis results for sulfur and heat content shall be maintained with the fuel usage log for all fuels purchased and/or consumed.

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

iii. All logs, MSDS, and fuel analysis records shall be kept on site for five years from the date of the last entry and shall be made available, upon request, for inspection by the Cabinet or the U.S. EPA. [40 CFR 60.48c(g), and 401 KAR 52:030, Section 10]

c. Calculations of nitrogen oxides emitted from the combustion of any fuel shall be performed according to Section D of this permit and recorded [401 KAR 52:030, Section 10].

d. All records required by 40 CFR 60, Subpart Dc, shall be maintained by the permittee for a period of two years following the date of such record [40 CFR 60.48c(i)].

e. The permittee shall maintain records of all visual observations, U.S. EPA Reference Method 9 readings, and any corrective actions. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

a. The permittee shall submit excess emission reports for any excess emission from these units that occur during the reporting period. [401 KAR 52:030, Section 10]

b. See Section F for general reporting requirements.

7. Specific Control Equipment Operating Conditions:

N/A

8. Alternate Operating Scenarios:

If these units no longer meet the definition of *gas-fired boiler* according to 40 CFR 63.11237, the permittee shall meet the requirements in Section H.

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

Emission Unit 07 (EP-07, 08, & 09)	**Rendering Process #2 and #3, Feather Process, and Finish Product Handling**

Description:
The rendering process includes: prehoggers, cooker #2 & #3, heat exchanger, drainer, screener, centrifuge, press, crax bin, rotex screen, grinder, conveyance equipment, and final product storage silos. The feather process includes: hydrolyzer, rotary steam-tube dryer, venturi scrubber, regenerative thermal oxidizer, condenser, bag house, meal storage bins, and storage silo.

Construction Commenced:	2006 (rendering process) and 2007 (feather process)
Nominal Process Capacity:	Approximately 100,000 tons per year (varies by moisture content)
Control Equipment:	Venturi scrubber, packed tower scrubber, room air scrubber (EP-07); pneumatic transfer baghouse (EP-08); Regenerative thermal oxidizer (RTO) (EP-09)

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

1. **Operating Limitations:**
   N/A

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

      ***Compliance Demonstration*:**
      i. Compliance with the opacity standard is demonstrated by operation of the scrubber system at all times according to **7. Specific Control Equipment Operating Conditions**.

      ii. See **4. Specific Monitoring Requirements**.

   b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of the quantity specified in 401 KAR 59:010, Appendix A: [401 KAR 59:010, Section 3(2)]

      i. For process weight rates ≤ 0.50 ton/hour: $E = 2.34$
      ii. For process weight rates > 0.50 ton/hr and ≤ 30 tons/hr: $E = 3.59P^{0.62}$
      iii. For process weight rates > 30 tons/hr: $E = 17.31P^{0.16}$

      Where: E = rate of emission in lb/hr, and
      P = process weight rate in tons/hr.

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

***Compliance Demonstration*:**
Compliance with the mass emission standard is demonstrated by operation of the scrubber system at all times according to **7. Specific Control Equipment Operating Conditions**.

c. At any time when one unit volume of ambient air is mixed with seven volume units of odorless air, the mixture shall have no detectable odor. This odor standard, pursuant to 401 KAR 53:005, Section 2(2), shall be applicable only when the Cabinet receives a compliant with respect to odors from a source [401 KAR 53:010].

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

4. Specific Monitoring Requirements:

a. The permittee shall monitor the hours of operation and the amount of materials processed (tons) on a monthly basis [401 KAR 52:030, Section 10].

b. The permittee shall monitor the amount of natural gas combusted in the RTO (standard cubic feet) on a monthly basis. [401 KAR 52:030, Section 10]

c. 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 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]

d. The permittee shall install, calibrate, maintain, and operate a pressure drop monitoring device to monitor the differential pressure across the baghouse. The permittee shall ensure that the monitored value is maintained within the range specified by the manufacturer or the range established during the most recent performance test. The permittee shall monitor the differential pressure across the baghouse on a daily basis during all times of operation. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain monthly records of the hours of operation and the amount of material rendered and feathers processed, in tons [401 KAR 52:030, Section 10].

b. The permittee shall maintain all records regarding the maintenance of all scrubbers [401 KAR 52:030, Section 10].

c. The permittee shall maintain records of the amount of natural gas combusted in the RTO (standard cubic feet) on a monthly basis. [401 KAR 52:030, Section 10]

d. The permittee shall maintain a log of the qualitative visual observations made including the date, time, initials of observer, whether any emissions were observed (yes/no), any

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

corrective action taken, and any U.S. EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:
See Section F for general reporting requirements.

7. Specific Control Equipment Operating Conditions:

a. The emission units, including the venturi scrubber, packed tower scrubber, regenerative thermal oxidizer (for odor control), room air scrubber(for odor control), baghouse, and any other control equipment shall be operated at all times in a manner consistent with good air pollution control practice to minimize emissions and consistent with the manufacturer's specifications. [401 KAR 50:055, Section 2(5)]

b. See **Section E – Source Control Equipment Requirements.**

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

Emission Unit 08 (EU08) (EP-10) **Natural Gas-Fired Emergency RICE**

Description:

Model:	2017 Generac Model EGENX32KNAN, 2.4L total displacement (Emergency Generator Engine)
Construction Commenced:	2020
Fuel:	Natural Gas
Maximum Engine Rating:	132 HP

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 must meet the requirements of 40 CFR part 63 by meeting the requirements of 40 CFR 60, Subpart JJJJ. No further requirements apply for such engines under 40 CFR part 63 [40 CFR 63.6590(c)(1)].

   b. If the engine does not meet the standards applicable to non-emergency engines, the permittee shall install a non-resettable hour meter on each unit prior to the start-up of the engine [40 CFR 60.4237(b) and 40 CFR 60.4237(c)].

   c. The permittee shall operate the emergency stationary ICE according to the requirements in 40 CFR 60.4243(d)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR 60, Subpart JJJJ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 60.4243(d)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 60.4243(d)(1) through (3), the engine will not be considered an emergency engine under 40 CFR 60, Subpart JJJJ and must meet all requirements for non-emergency engines [40 CFR 60.4243(d)].

      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). 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

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

equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year [40 CFR 60.4243(d)(2) and 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. 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 the following criteria are met [40 CFR 60.4243(d)(3) and 40 CFR 60.4243(d)(3)(i)]:

A. The engine is dispatched by the local balancing authority or local transmission and distribution system operator [40 CFR 60.4243(d)(3)(i)(A)].

B. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region [40 CFR 60.4243(d)(3)(i)(B)].

C. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines [40 CFR 60.4243(d)(3)(i)(C)].

D. The power is provided only to the facility itself or to support the local transmission and distribution system [40 CFR 60.4243(d)(3)(i)(D)].

E. The permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the permittee [40 CFR 60.4243(d)(3)(i)(E)].

d. The permittee must operate and maintain stationary SI ICE that achieve the emission standards as required in 40 CFR 60.4233 over the entire life of the engine. [40 CFR 60.4234]

2. Emission Limitations:

a. The permittee shall comply with the emission standards in 40 CFR 60, Subpart JJJJ Table 1 [40 CFR 60.4233(e), Referencing 40 CFR 60, Subpart JJJJ Table 1]:

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g/HP-hr			ppmvd at 15% O_2		
NO_x	CO	VOC	NO_X	CO	VOC
2.0	4.0	1.0	160	540	86

Compliance Demonstration Method:

A. The permittee must demonstrate compliance according to one of the following methods: [40 CFR 60.4243(b)]

I. Purchasing an engine certified according to procedures specified in 40 CFR 60, Subpart JJJJ, for the same model year and demonstrating compliance according to one of the methods specified in 40 CFR 60.4243(a) [40 CFR 60.4243(b)(1)]; or

II. Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in 40 CFR 60.4233(d) or (e) and according to the requirements specified in 40 CFR 60.4244, as applicable, and must keep a maintenance plan and record of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee must conduct an initial performance test to demonstrate compliance. [40 CFR 60.4243(b)(2) and (b)(2)(i)]

B. If the permittee purchases a non-certified engine or the permittee does not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's written emission-related instructions, the permittee is required to perform initial performance testing as indicated in 40 CFR 60, Subpart JJJJ, but the permittee is not required to conduct subsequent performance testing unless the stationary engine undergoes rebuild, major repair or maintenance. [40 CFR 60.4243(f)]

3. Testing Requirements:

a. 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]

b. If the permittee is required to conduct performance testing, the permittee must follow the procedures in 40 CFR 60.4244(a) through (f) [40 CFR 60.4244].

4. Specific Monitoring Requirements:

a. The permittee shall monitor the amount of natural gas usage, in standard cubic feet, and the hours of operation for the engine on a monthly basis. [401 KAR 52:030, Section 10]

b. The permittee shall install a non-resettable hour meter upon startup of the emergency engine. [40 CFR 60.4237(b)]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of hours of operation for each engine on a monthly basis. [401 KAR 52:030, Section 10]

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

b. The permittee shall maintain records of the manufacturer's certified emissions certificate, manufacturer's written operating instructions, and any procedures developed by the permittee that are approved by the engine manufacturer, over the entire life of the engine [401 KAR 52:030, Section 10].

c. The permittee must keep records of the information listed below [40 CFR 60.4245(a)]:

i. All notifications submitted to comply with 40 CFR 60, Subpart JJJJ and all documentation supporting any notification. [40 CFR 60.4245(a)(1)]

ii. Maintenance conducted on the engines. [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)]

d. If the engines do not meet the standards applicable to non-emergency engines, the permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. [40 CFR 60.4245(b)]

e. Any records required to be maintained by 40 CFR 60, Subpart JJJJ that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation. [40 CFR 60.4245(j)]

6. Specific Reporting Requirements:

a. For stationary SI ICE that are subject to performance testing, the permittee shall submit a copy of each performance test as conducted in 40 CFR 60.4244 within 60 days after the test has been completed. Performance tests shall be reported electronically according to 40 CFR 60.4245(f). [40 CFR 60.4245(d)]

b. If the emergency stationary SI ICE has a maximum engine power more than 100 HP and operates for the purpose specified in 40 CFR 60.4243(d)(3)(i), the permittee shall submit an annual report according to the requirements in 40 CFR 60.4245(e)(1) through (3) [40 CFR 60.4245(e)].

i. The report shall contain the following information: [40 CFR 60.4245(e)(1)]

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

A. Company name and address where the engine is located. [40 CFR 60.4245(e)(1)(i)]

B. Date of the report and beginning and ending dates of the reporting period. [40 CFR 60.4245(e)(1)(ii)]

C. Engine site rating and model year. [40 CFR 60.4245(e)(1)(iii)]

D. Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place. [40 CFR 60.4245(e)(1)(iv)]

E. Hours spent for operation for the purposes specified in 40 CFR 60.4243(d)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 60.4243(d)(3)(i). The report shall also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine. [40 CFR 60.4245(e)(1)(vii)]

ii. The annual reports for each calendar year shall be submitted no later than March 31 of the following calendar year [40 CFR 60.4245(e)(2)].

iii. The annual report shall be submitted electronically according to 40 CFR 60.4245(g) [40 CFR 60.4245(e)(3)].

c. Within 60 days after the date of completing each performance test, the permittee must submit the results following the procedures specified 40 CFR 60.4245(g). Data collected using test methods that are supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (https://www.epa.gov/electronic-reporting-air-emissions/electronic-reporting-tool-ert) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, the permittee may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test must be included as an attachment in the ERT or an alternate electronic file [40 CFR 60.4245(f)].

d. If the permittee is required to submit notifications or reports following the procedure specified 40 CFR 60.4245(g), the permittee must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (https://cdx.epa.gov/). The EPA will make all the information submitted through CEDRI available to the public without further notice to the permittee. Do not use CEDRI to submit information claimed as CBI. [40 CFR 60.4245(g)].

e. If the permittee is required to electronically submit a report through CEDRI in the EPA's CDX, the permittee may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, the

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

permittee must meet the requirements outlined in 40 CFR 60.4245(h)(1) through (7). [40 CFR 60.4245(h)]

f. If the permittee is required to electronically submit a report through CEDRI in the EPA's CDX, the permittee may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, the permittee must meet the requirements outlined in 40 CFR 60.4245(i)(1) through (5). [40 CFR 60.4245(i)]

g. See **Section F** for general reporting requirements.

SECTION C - INSIGHNIFICANT 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.

	Description of Activity	Generally Applicable Regulations
1.	Storage vessels associated with low sulfur diesel storage and vehicle refilling operations	NA
2.	Storage vessels containing inorganic acids with boiling points below the maximum temperature at atmospheric temperature.	NA
3.	Wastewater treatment activities less than 1 % oil and grease content.	NA
4.	Laboratory fume hood and vents used exclusively for chemical or physical analysis.	NA
5.	Degreaser operations (parts washer used in routine maintenance) which do not exceed 145 gallons per month.	NA
6.	Boiler and cooling tower blow down	NA
7.	#2 oil fired space heater rated < 2 MMBtu/hr	401 KAR 63:020
8.	Paved haul roads and parking lots	401 KAR 63:010
9.	Cooling towers	401 KAR 59:010
10.	Storage silo vents baghouse	401 KAR 63:010
11.	Finished product load out	401 KAR 63:010

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. Particulate matter, nitrogen oxides, sulfur dioxides and visible 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 the applicability of 401 KAR 52:020, the permittee shall not emit more than 90 tons of nitrogen oxides (NO_x) in any consecutive twelve (12) month period. The annual emissions shall be calculated by adding the combined monthly emissions to the total emission from the previous eleven (11) months. Monthly emissions shall be calculated using the following equation:

$$Monthly\ NO_x\ emissions\ \left(\frac{tons}{month}\right) = \sum_i EF_i \times v_i \times 0.0005 \frac{ton}{lb}$$

Where:

i = Each fuel type: natural gas, processed fats, and low sulfur diesel

EF_i = Emission factor shown below, or most recent AP-42 factor, or a performance test conducted according to the requirements of 401 KAR 50:045 within the last five years:
3794.4 lb/MMscf for natural gas (EU08)
100 lb/MMscf for natural gas (EU07 (RTO))
32 lb/MMscf for natural gas controlled by low NO_x burner and flue gas recirculation (EU 04, EU05, and EU06)
0.020 lb/gallon for processed fats
0.020 lb/gallon for low sulfur diesel

v_i = Volume of each fuel type combusted during the month, in MMscf/month for natural gas and gallons/month for liquid fuels.

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

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

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 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.

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

f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, Bowling Green Regional Office, 2642 Russellville Road, Bowling Green, KY 42101.

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 this permit (F-26-039).

SECTION G - GENERAL PROVISIONS (CONTINUED)

5. Testing Requirements

   a. Pursuant to 401 KAR 50:045, Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.

   b. Pursuant to 401 KAR 50:045, Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.

   c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

6. Acid Rain Program Requirements

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

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.

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*.

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

The alternate operating scenarios set forth below have been approved by the Division based on information supplied with the application and during the application review process. The terms and conditions of each alternate operating scenario have been developed to ensure compliance with the applicable regulations. The permittee, when making a change from one operating scenario to another, shall record contemporaneously in a log at the permitted facility a record of the scenario under which the facility is operating. The permit shield, as provided in Section G, shall extend to each alternate operating scenario set forth in this Section. All conditions not specified under an alternate operating scenario shall remain unchanged from their permit values or requirements.

ALTERNATE OPERATING SCENARIO 1

Emission Unit 04 – 06	**Three Indirect Heat Exchangers**
(EP-04 – 06)	**(Boilers #3 – #5)**

Description:

Model:	Hurst S4X-GA2-1200-150
Construction Commenced:	2006
Fuel Input:	50.235 MMBtu/hr
Fuels:	Natural gas, processed fat, and low sulfur diesel
Controls:	None

APPLICABLE REGULATIONS:

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

1. **Operating Limitations:**
   a. The permittee shall conduct a tune-up of each unit biennially. Each tune-up shall be conducted no more than 25 months after the previous tune-up [40 CFR 63.11201, referencing Table 2 of 40 CFR 63, Subpart JJJJJJ, and 40 CFR 63.11223(b)].

      ***Compliance Demonstration*:**

      1. The permittee shall achieve compliance with this requirement according to the date specified in 40 CFR 63.11210(h).

      2. The permittee shall conduct all tune-ups according to 40 CFR 63.11223(b).

      3. See **6.a. Specific Reporting Requirements**.

   b. The permittee shall have a one-time energy assessment on each unit performed by a qualified energy assessor as described in Table 2 of 40 CFR 63, Subpart JJJJJJ [40 CFR 63.11201(b)].

      ***Compliance Demonstration*:**

      1. An energy assessment completed on or after January 1, 2008, that meets or is amended to meet the requirements in Table 2 of 40 CFR 63, Subpart JJJJJJ, satisfies the energy assessment requirement [40 CFR 63.11201(b)].

      2. The permittee shall demonstrate compliance with this requirement no later than the date specified in 40 CFR 63.11196(a)(3) [40 CFR 63.11210(h)].

SECTION H - ALTERNATE OPERATING SCENARIOS (CONTINUED)

3. See **6.b. Specific Reporting Requirements**.

c. At all times, the permittee shall operate and maintain these units in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source [40 CFR 63.11205(a)].

***Compliance Demonstration*:**
See **6.c. Specific Reporting Requirement**.

2. Emission Limitations:
The permittee shall continue to meet **2. Emission Limitations** according to **Emission Unit 04 - 06** of **Section – B Emission Points, Emission Units, Applicable Regulations, and Operating Conditions**.

3. Testing Requirements:
Testing shall be conducted at such time as may be requested by the Cabinet [401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 4].

4. Specific Monitoring Requirements:
The permittee shall adhere to the monitoring requirements of 40 CFR 63.11224.

5. Specific Recordkeeping Requirements:
The permittee shall maintain records according to paragraphs (1) through (7) of 40 CFR 63.11225(c).

6. Specific Reporting Requirements:

a. The permittee shall submit a signed statement in the Notification of Compliance Status report that indicates a tune-up of each boiler was conducted [40 CFR 63.11214(b)].

b. The permittee shall submit a signed certification in the Notification of Compliance Status report that an energy assessment of each boiler and its energy use systems was completed and submit, upon request, the energy assessment report [40 CFR 63.11214(c)].

c. The permittee shall submit all notifications and reports required by 40 CFR 63.11225, as applicable.

SECTION I - COMPLIANCE SCHEDULE

N/A