

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

**Draft**

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

**Permittee Name:** Dunaway Timber Company  
**Mailing Address:** 214 Easton Rd  
Fordsville, KY 42343

**Source Name:** Dunaway Timber Co 2  
**Mailing Address:** 214 Easton Rd  
Fordsville, KY 42343

**Source Location:** on Easton Road

**Permit ID:** F-24-063  
**Agency Interest #:** 44386  
**Activity ID:** APE20240004  
**Review Type:** Conditional Major, Construction / Operating  
**Source ID:** 21-183-00070

**Regional Office:** Owensboro Regional Office  
3032 Alvey Park Dr. W., Suite 700  
Owensboro, KY 42303  
(270) 687-7304

**County:** Ohio

**Application Complete Date:** October 28, 2024  
**Issuance Date:**  
**Expiration Date:**

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**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-24-063	Initial	APE20240004	10/28/2024		Initial Construction Permit

## **SECTION A - PERMIT AUTHORIZATION**

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

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

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

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

### Emission Units 01-07, 09, 10, 21 & 22 Sawmills, Wood Pellet Storage and Packaging

#### Description:

EU	Description	Equipment	Construction Date	Capacity	Control Device
01	Circle Sawmill #1	Debarker, circle saw, resaw, grader, edger, chipper	1979	1500 bd ft/hr	Enclosure
02	Circle Sawmill #2	Debarker, circle saw, resaw, grader, edger, chipper	1979	1500 bd ft/hr	Enclosure
03	Whole Log Chipper	Log Chipper	1979	10 tons/hr	No Equipment
04	Pallet Parts Mill	Gang saw, planer, notcher, trim saw, chipper	1979	2000 bd ft/hr	Cyclone
05	Bandsaw Mill; Sawmill #3	Band saw, resaw, grade edger, chipper	1979	1500 bd ft/hr	Enclosure
06	Bandsaw Mill; Sawmill #4	Band saw, resaw, grader edger, chipper	2005	1500 bd ft/hr	Enclosure
07	Bandsaw Mill; Sawmill #5	Band saw	2006	1500 bd ft/hr	Enclosure
09	Stave Mill	Deck saw, splitter saw, band saws (x3), edgers (x4), Trim saws (x4)	2013	463 bd ft/hr	Enclosure
10	Load Outs from EU 06 and 09	Load out for sawmill #4 and stave mill	2005	1960 bd ft/hr	Enclosure
21	Dry Sawdust Storage Bin	Proposed 2024		11.65 tons/hr	Bin Vent Filter
22	Briquette Bin			11.65 tons/hr	Bin Vent Filter

#### APPLICABLE REGULATIONS:

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

#### **1. Operating Limitations:**

N/A

**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****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 greater than twenty (20) percent opacity. [401 KAR 59:010, Section 3(1)(a)]

**Compliance Demonstration Method:**

Compliance shall be demonstrated according to **4. Specific Monitoring Requirements a.** and **5. Specific Recordkeeping Requirements a.**

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

<b>P= Process Weight Rate (Tons/hr)</b>	<b>E= PM Emission Limit (lb/hr)</b>
$P \leq 0.50$	$E = 2.34$
$0.50 < P \leq 30$	$E = 3.59 P^{0.62}$

**Compliance Demonstration Method:**

Compliance is assumed based on the emission factors and control efficiency submitted in the application.

**3. Testing Requirements:**

Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 50:045, Section 1 and 401 KAR 59:005, Section 2(2)]

**4. Specific Monitoring Requirements:**

- a. The permittee shall perform a qualitative visual observation of the opacity of emissions at each stack no less than once every 7 calendar days while the affected facility is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]
- b. The permittee shall monitor the amount of material processed (in board feet or tons, as applicable) for each unit, on a monthly basis. [401 KAR 52:030, Section 10]

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain a log of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements a.**, including the date, time, initials of observer, whether any emissions were observed (yes/no), and any U.S. EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain a log of the amount of material processed (in board feet or tons, as applicable) for each unit, on a monthly basis. [401 KAR 52:030, Section 10]

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

**6. Specific Reporting Requirements:**

See Section F – Monitoring, Recordkeeping, and Reporting Requirements for general reporting requirements.

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

### Emission Units 11-15, 17, 18 & 25 Pellet Mill Fugitive Emissions and Haul Roads

#### Description:

Emission Unit	Description	Construction Date	Capacity
11	Greenwood Truck Unloading	Proposed 2024	13.54 tons/hr
12	Outdoor Greenwood Storage Pad		1 acre
13	Greenwood Handling to Feed Hopper		15 tons/hr
14	Feed Hopper		15 tons/hr
15	Open Conveyor Belt		15 tons/hr
17	Greenwood Handling to Trailer		15 tons/hr
18	Open Walking Floor Trailer		15 tons/hr
25	Haul Roads		3,700 VMT/yr

#### APPLICABLE REGULATIONS:

##### **401 KAR 63:010, *Fugitive emissions***

#### **1. Operating Limitations:**

- a. A person shall not cause, suffer, or allow any material to be handled, processed, transported, or stored, a building or its appurtenances to be constructed, altered, repaired, or demolished, or a road to be used without taking reasonable precaution to prevent particulate matter from becoming airborne. Reasonable precautions shall include, as applicable: [401 KAR 63:010, Section 3(1)]
  - i. Use, if possible, of water or suitable chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land; [401 KAR 63:010, Section 3(1)(a)]
  - ii. Application and maintenance of asphalt, oil, water, or suitable chemicals on roads, materials stockpiles, and other surfaces which can create airborne dusts; [401 KAR 63:010, Section 3(1)(b)]
  - iii. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials, or the use of water sprays or other measures to suppress the dust emissions during handling. Adequate containment methods shall be employed during sandblasting or other similar operations. [401 KAR 63:010, Section 3(1)(c)]
  - iv. Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne; [410 KAR 63:010, Section 3(1)(d)]
  - v. The maintenance of paved roadways in a clean condition; or [401 KAR 63:010, Section 3(1)(e)]
  - vi. The prompt removal of earth or other material from a paved street to which earth or other material has been transported by trucking or earth moving equipment or erosion by water. [401 KAR 63:010, Section 3(1)(f)]

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

- b. If dust, fumes, gases, mist, odorous matter, vapors, or any combination thereof escape from a building or equipment in such a manner and amount as to cause a nuisance or to violate any administrative regulation, the secretary may, based on the cause, type, or amount of a fugitive emission, order that the building or equipment in which processing, handling and storage are done be tightly closed and ventilated in such a way that all air and gases and air or gas borne material leaving the building or equipment are treated by removal or destruction of air contaminants before discharge to the open air. [401 KAR 63:010, Section 3(3)]
- c. At all times while in motion, open bodied trucks, operating outside company property, transporting materials likely to become airborne shall be covered. [401 KAR 63:010, Section 4(1)]
- d. A person shall not cause, suffer, or allow earth or other material being transported by truck or earth moving equipment to be deposited onto a paved street or roadway. [401 KAR 63:010, Section 4(3)]

**2. Emission Limitations:**

A person shall not cause, suffer, or allow visible fugitive dust emissions beyond the lot line of the property on which the emissions originate, as determined by Reference Method 22 of Appendix A in 40 CFR Part 60, for: [401 KAR 63:010, Section 3(2)]

- a. More than five (5) minutes of emission time during any sixty (60) minute observation period; or [401 KAR 63:010, Section 3(2)(a)]
- b. More than twenty (20) minutes of emission time during any twenty-four (24) hour period. [401 KAR 63:010, Section 3(2)(b)]

**3. Testing Requirements:**

Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 50:045, Section 1]

**4. Specific Monitoring Requirements:**

- a. The permittee shall monitor the amount each emission unit processes (in tons) on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall monitor the reasonable precautions taken to prevent particulate matter from becoming airborne on a daily basis. [401 KAR 52:030, Section 10]
- c. If fugitive dust emissions beyond the lot line of the property are observed, the permittee shall conduct US EPA Reference Method 22 (visual determination of fugitive emissions) observations per Appendix A of 40 CFR Part 60. In lieu of conducting US EPA Reference Method 22, the permittee shall immediately perform a corrective action which results in no visible fugitive dust emissions beyond the lot line of the property. [401 KAR 52:030, Section 10]

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain records of the amount each emission unit processes (in tons) 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 a log of the reasonable precautions taken to prevent particulate matter from becoming airborne, on a daily basis. Notation of the operating status, downtime, or relevant weather conditions are acceptable for entry to the log. [401 KAR 52:030, Section 10]
- c. The permittee shall maintain a log of the following: [401 KAR 52:030, Section 10]
  - i. Qualitative fugitive emissions observations conducted, including the date, time, initials of observer, whether any fugitive dust emissions were observed. [401 KAR 52:030, Section 10]
  - ii. Any Reference Method 22 performed and field records identified in Reference Method 22. [401 KAR 52:030, Section 10]
  - iii. Any corrective action taken and the results. [401 KAR 52:030, Section 10]

### **6. Specific Reporting Requirements:**

See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

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

### Emission Units 16, 19, 23, & 24      Wood Pellet Production

#### Description:

Emission Unit	Description	Maximum Throughput	Control Equipment	Construction Date
16	Green Hammermill	15 tons/hr	Koger Cyclone	Proposed 2025
19-01	Wood Drying	11.65 tons/hr	Multiple Cyclones	September 2023
19-02	Wood Combustion	1.65 tons/hr		
19-03	Natural Gas Combustion	0.03 MMscf/hr		
19-04	Dry Hammermill	11.65 tons/hr	Cyclone, Dryer	Proposed 2025
19-05	Pellet Mills (x3)	6.5 tons/hr each	Enclosure, Dryer	
19-06	Pellet Screeners (x2)	11.65 tons/hr combined	Enclosure, Dryer	
19-07	Pellet Cooler	11.65 tons/hr	Cyclone, Dryer	
23	Pellet Storage Silos (x3)	0.0242 tons/hr	No Equipment	
24	Pellet Packaging	11.65 tons/hr	Enclosure	

#### 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:**

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 20 percent opacity. [401 KAR 59:010, Section 3(1)(a)]

#### Compliance Demonstration Method:

See **4. Specific Monitoring Requirements a.**

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

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

P= Process Weight Rate (Tons/hr)	E= PM Emission Limit (lb/hr)
$P \leq 0.50$	$E = 2.34$
$0.50 < P \leq 30$	$E = 3.59 P^{0.62}$

### **Compliance Demonstration Method:**

Compliance is assumed based on the emission factors and control efficiency submitted in the application.

- c. Persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals, and plants. Evaluation of such facilities as to adequacy of controls and/or procedures and emission potential will be made on an individual basis by the Cabinet. [401 KAR 63:20, Section 3]

### **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 – Source Emission Limitations and Testing Requirements** for source-wide emission limitations on volatile organic compounds (VOCs) and Methanol.

### **3. Testing Requirements:**

- a. The permittee shall conduct an initial performance test for VOC, methanol, formaldehyde, and acetaldehyde within 60 days after achieving the maximum production rate at which Emission Unit 16 will be operated, but not later than 180 days after initial start-up of EU 16, to establish emission factors for EU 16. Performance testing shall be conducted using US EPA Reference Method 25A for VOC, OTM-26 (WPP-1) for methanol and formaldehyde, and current EPA methods and ASTM tests for acetaldehyde, or another test method approved by the Division. The performance test shall be conducted as follows: [401 KAR 50:045, Section 3]
  - i. The performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. [401 KAR 50:045, Section 5(1)]
  - ii. 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. [401 KAR 50:045, Section 5(2)]

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

- iii. A source that becomes capable of operating at a higher production rate demonstrated during a prior performance test shall conduct another performance test at the higher rate to demonstrate the source's ability to comply with emissions limitations. [401 KAR 50:045, Section 5(3)]
- iv. Each performance test shall consist of three (3) separate runs using the applicable test method. Each run shall be conducted for such time and under such conditions specified. [401 KAR 50:045, Section 9(1)]
- v. Once performance testing has begun, a person conducting the testing shall not halt a sampling run except due to: [401 KAR 50:045, Section 9(2)(a)]
  - 1. Forced shutdown; [401 KAR 50:045, Section 9(2)(a)1.]
  - 2. Failure of an irreplaceable portion of the sample train; [401 KAR 50:045, Section 9(2)(a)2.]
  - 3. Extreme meteorological conditions; [401 KAR 50:045, Section 9(2)(a)3.]
  - 4. Unforeseen circumstances beyond the permittee's control. [401 KAR 50:045, Section 9(2)(a)4.]
- vi. The person conducting the testing shall not halt a sampling run for the purpose of making adjustments to the parameters of the performance test. [401 KAR 50:045, Section 9(2)(b)]
- b. The permittee shall conduct a performance test for VOC, methanol, formaldehyde, and acetaldehyde within 60 days after achieving the maximum production rate at which EU 19-01 through EU 19-07 will be operated, but not later than 180 days after initial start-up of EU 19-01 through EU 19-07, to establish emission factors for EU 19. Performance testing shall be conducted using US EPA Reference Method 25A for VOC, OTM-26 (WPP-1) for methanol and formaldehyde, and current EPA methods and ASTM tests for acetaldehyde, or another test method approved by the Division. [401 KAR 52:030, Section 10]
  - i. The performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. [401 KAR 50:045, Section 5(1)]
  - ii. 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. [401 KAR 50:045, Section 5(2)]
  - iii. A source that becomes capable of operating at a higher production rate demonstrated during a prior performance test shall conduct another performance test at the higher rate to demonstrate the source's ability to comply with emissions limitations. [401 KAR 50:045, Section 5(3)]

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

- iv. Each performance test shall consist of three (3) separate runs using the applicable test method. Each run shall be conducted for such time and under such conditions specified. [401 KAR 50:045, Section 9(1)]
- v. Once performance testing has begun, a person conducting the testing shall not halt a sampling run except due to: [401 KAR 50:045, Section 9(2)(a)]
  - 1. Forced shutdown; [401 KAR 50:045, Section 9(2)(a)1.]
  - 2. Failure of an irreplaceable portion of the sample train; [401 KAR 50:045, Section 9(2)(a)2.]
  - 3. Extreme meteorological conditions; [401 KAR 50:045, Section 9(2)(a)3.]
  - 4. Unforeseen circumstances beyond the permittee's control. [401 KAR 50:045, Section 9(2)(a)4.]
- vi. The person conducting the testing shall not halt a sampling run for the purpose of making adjustments to the parameters of the performance test. [401 KAR 50:045, Section 9(2)(b)]
- c. Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 50:045, Section 1]
- d. See **Section G – General Provisions** for general testing requirements.

**4. Specific Monitoring Requirements:**

- a. The permittee shall perform a qualitative visual observation of the opacity of emissions at each stack no less than once every 7 calendar days while the affected is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using US EPA Reference Method 9. In lieu of determining the opacity using US EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]
- b. The permittee shall monitor the amount of wood processed (in tons) through each unit on a monthly basis. [401 KAR 52:030, Section 10]

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain a log of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements** a. including the date, time, initials of observer, whether any emissions were observed (yes/no), and any US EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain a log of the amount of wood processed (in tons) through each unit on a monthly basis. [401 KAR 52:030, Section 10]

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

**6. Specific Reporting Requirements:**

See Section F – Monitoring, Recordkeeping, and Reporting Requirements for general reporting requirements.

**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Emission Units 20    Natural Gas-fired Indirect Heat Exchanger****Description:**

Model: Lattner 30HP-WLF

Heat Input Capacity: 1.26 MMBtu/hr

Construction Date: Proposed 2024

Fuel Type: Natural Gas

**APPLICABLE REGULATIONS:****401 KAR 59:015**, *New indirect heat exchangers***STATE-ORIGIN REQUIREMENTS:****401 KAR 63:020**, *Potentially hazardous matter or toxic substances***1. Operating Limitations:**

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

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

**Compliance Demonstration Method:**Compliance shall be demonstrated according to **5. Specific Recordkeeping Requirements** b.**2. Emission Limitations:**

- a. The permittee shall not cause emissions of particulate matter in excess of 0.56 lb/MMBtu actual heat input. [401 KAR 59:015, Section 4(1)(a)]

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

- b. The permittee shall not cause emissions of particulate matter in excess of 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
  - i. A maximum of 40 percent opacity shall be allowed for a maximum of 6 consecutive minutes in any 60 consecutive minutes during firebox cleaning or soot blowing, and [401 KAR 59:015, Section 4(2)(b)]
  - ii. For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 4(2)(c)]
- c. The permittee shall not cause emissions of gases that contain sulfur dioxide in excess of 3.0 lb/MMBtu actual heat input. [401 KAR 59:015, Section 5(1)(a)1.]

**Compliance Demonstration Method:**

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

- d. Persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants. Evaluation of such facilities as to the adequacy of controls and/or procedures and emission potential will be made on an individual basis by the cabinet. [401 KAR 63:020, Section 3]

**Compliance Demonstration Method:**

Based upon the emission rates of 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 – Source Emission Limitations and Testing Requirements** for source-wide emission limitations on volatile organic compounds (VOCs), Methanol, and Formaldehyde.

**3. Testing Requirements:**

Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 50:045, Section 1 and 401 KAR 59:005, Section 2(2)]

**4. Specific Monitoring Requirements:**

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

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain records of the amount of natural gas combusted (in MMscf) 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 recommended procedures for startup and shutdown, any instance in which the recommended procedures were not followed, and any corrective action taken. [401 KAR 52:030, Section 10]

**6. Specific Reporting Requirements:**

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

Description

1. Stave Mill

Generally Applicable Regulation

401 KAR 59:010

## 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. PM, Opacity, SO<sub>2</sub>, VOC, Methanol, and Formaldehyde 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, *Title V permits*, total source-wide emissions of PM-10 from all activities shall not exceed 90 tons per year based on a consecutive twelve-month rolling total. The twelve-month rolling total shall be calculated by adding the monthly emissions to the previous eleven (11) months' emissions.

### **Compliance Demonstration Method:**

Monthly PM-10 emissions shall be calculated using the following formula:

$$PM\ 10\ Emissions\left(\frac{tons}{month}\right) = \frac{Production\ Rate\ \left(\frac{SCC\ Unit}{Month}\right) \times EF\ \left(\frac{lb}{SCC\ Unit}\right) \times (1 - CE)}{2000\ \left(\frac{lb}{ton}\right)}$$

Emission Units(s)	SCC Unit	EF	CE
01; 02; 05	1000 Board Feet	4.8	0.70
03	Tons	0.2	0.00
04	1000 Board Feet	7.2	0.85
06; 07; 08; 09; 10	1000 Board Feet	1.2	0.70
11; 13; 14; 15; 17	Tons	0.00035	0.00
18	Tons	0.00035	0.50
12	Acre-Years	0.19	0.90
16	Tons	0.175	0.95
19*	Tons (Dryer Output)	0.7144	0.9999
19-02	Tons	3.2	0.9999
19-03; 20	MMscf	5.7	0.00
21; 22	Tons	0.0007	0.91
23	Tons	0.0007	0.00
24	Tons	0.0007	0.70
25	Vehicle Miles Traveled	3.68	0.40

\*EU 19 emission factor represents the sum of emissions from EUs 19-01, 19-04, 19-05, 19-06, and 19-07

4. To preclude the applicability of 401 KAR 52:020, *Title V permits*, total source-wide emissions of VOC from all activities shall not exceed 90 tons per year based on a consecutive twelve-month rolling total. The twelve-month rolling total shall be calculated by adding the monthly emissions to the previous eleven (11) months' emissions.

## SECTION D – SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

### **Compliance Demonstration Method:**

Monthly VOC emissions shall be calculated using the following formula. The permittee shall use the emission factor from the table below until testing is completed and a unit specific emission factor is established:

$$VOC\ Emissions\left(\frac{tons}{month}\right) = \sum \frac{Production\ Rate\left(\frac{SCC\ Unit}{Month}\right) \times EF\left(\frac{lb}{SCC\ Unit}\right)}{2000\left(\frac{lb}{ton}\right)}$$

Emission Units(s)	SCC Unit	EF
16	Tons	0.57 lb/ton
19*	Tons (Dryer Output)	3.065 lb/ton dryer output
19-02	Tons	0.153 lb/ton
19-03; 20;	MMscf	5.5 lb/MMscf
23; 24	Tons	0.4 lb/ton

\*EU 19 emission factor represents the sum of emissions from EUs 19-01, 19-04, 19-05, 19-06, and 19-07

- To preclude the applicability of 401 KAR 52:020, *Title V permits*, total source-wide emissions of Methanol from all activities shall not exceed 9 tons per year based on a consecutive twelve-month rolling total. The twelve-month rolling total shall be calculated by adding the monthly emissions to the previous eleven (11) months' emissions.

### **Compliance Demonstration Method:**

Monthly Methanol (CH<sub>3</sub>OH) emissions shall be calculated using the following formula. The permittee shall use the emission factor from the table below until testing is completed and a unit specific emission factor is established:

$$CH_3OH\ Emissions\left(\frac{tons}{month}\right) = \sum \frac{Production\ Rate\left(\frac{SCC\ Unit}{Month}\right) \times EF\left(\frac{lb}{SCC\ Unit}\right)}{2000\left(\frac{lb}{ton}\right)}$$

Emission Units(s)	SCC Unit	EF
16	Tons	0.559 lb/ton
19*	Tons (Dryer Output)	0.156 lb/ton dryer output
23; 24	Tons	0.001 lb/ton

\*EU 19 emission factor represents the sum of emissions from EU's 19-01, 19-04, 19-05, 19-06, and 19-07

- To demonstrate compliance with 401 KAR 63:020, total source-wide emissions of Formaldehyde from all activities shall not exceed 1.27 tons per year based on a consecutive twelve-month rolling total. The twelve-month rolling total shall be calculated by adding the monthly emissions to the previous eleven (11) months' emissions.

### **Compliance Demonstration Method:**

Monthly Formaldehyde (CH<sub>2</sub>O) emissions shall be calculated using the following formula. The permittee shall use the emission factor from the table below until testing is completed and a unit specific emission factor is established:

## SECTION D – SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

$$CH_2O \text{ Emissions} \left( \frac{\text{tons}}{\text{month}} \right) = \sum \frac{\text{Production Rate} \left( \frac{\text{SCC Unit}}{\text{Month}} \right) \times EF \left( \frac{\text{lb}}{\text{SCC Unit}} \right)}{2000 \left( \frac{\text{lb}}{\text{ton}} \right)}$$

Emission Units(s)	SCC Unit	EF
16	Tons	0.00012 lb/ton
19*	Tons (Dryer Output)	0.076 lb/ton dryer output
19-02	Tons	0.0396 lb/ton
19-03; 20;	MMscf	0.075 lb/MMscf
23; 24	Tons	0.002 lb/ton

\*EU 19 emission factor represents the sum of emissions from EU's 19-01, 19-04, 19-05, 19-06, and 19-07

7. To preclude the applicability of 401 KAR 52:020, *Title V permits*, total source-wide emissions of combined hazardous air pollutants (HAPS) from all activities shall not exceed 22.5 tons per year based on a consecutive twelve-month rolling total. The twelve-month rolling total shall be calculated by adding the monthly emissions to the previous eleven (11) months' emissions.

### **Compliance Demonstration Method:**

Monthly combined HAP emissions shall be calculated using the following formula. The permittee shall use the emission factor from the table below until testing is completed and a unit specific emission factor is established:

$$\text{Combined HAP Emissions} \left( \frac{\text{tons}}{\text{month}} \right) = \sum \frac{\text{Production Rate} \left( \frac{\text{SCC Unit}}{\text{Month}} \right) \times EF \left( \frac{\text{lb}}{\text{SCC Unit}} \right)}{2000 \left( \frac{\text{lb}}{\text{ton}} \right)}$$

Emission Unit	SCC Code	Pollutant	Emission Factor
16	Tons	Formaldehyde	1.2E-4
		Methanol	5.59E-1
19*	Tons	Acetaldehyde	4.50E-2
		Formaldehyde	7.60E-2
		Methanol	1.56E-1
19-02	Tons	Acetaldehyde	7.47E-3
		Formaldehyde	3.96E-2
		Acetophenone	2.88E-8
		Acrolein	4.00E-7
		Benzene	3.78E-2
		Bis (2-Ethylhexyl) Phthalate	4.23E-7
		Methyl Bromide	1.35E-4

## SECTION D – SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

		Methyl Ethyl Ketone	4.86E-5
		Carbon Tetrachloride	4.05E-4
		Chlorine	7.11E-3
		Chlorobenzene	2.97E-4
		Chloroform	2.52E-4
		Methyl Chloride	2.07E-4
		1,2-Dibromoethane	4.95E-4
		1,2-Dichloroethane	2.61E-4
		Dichloromethane	2.61E-3
		1,2-Dichloropropane	2.97E-4
		2,4-Dinitrophenol	1.62E-6
		Ethyl Benzene	2.79E-4
		Hydrochloric Acid	0.171
		Naphthalene	8.73E-4
		4-Nitrophenol	9.90E-9
		Styrene	1.71E-2
		2,3,7,8-Tetrachlorodibenzo-p-Dioxin	7.74E-11
		Toluene	8.28E-3
		1,1,1-Trichloroethane	2.79E-4
		2,4,6-Trichlorophenol	1.98E-7
		Vinyl Chloride	1.62E-4
		Xylenes (Total)	2.25E-4
		Antimony	7.11E-05
		Arsenic (and Compounds)	1.98E-4
		Beryllium Compounds	9.90E-6
		Cadmium (and Compounds)	3.69E-5
		Chromium (and Compounds)	1.89E-4
		Cobalt (and Compounds)	5.85E-5
		Manganese (and Compounds)	1.44E-2
		Mercury (and Compounds)	3.15E-5
		Nickel (and Compounds)	2.97E-4
		Phosphorus	2.43E-4

## SECTION D – SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

		Selenium (and Compounds)	2.52E-5
19-03; 20	MMscf	Arsenic (and Compounds)	2.00E-4
		Benzene	2.10E-3
		Beryllium Compounds	1.20E-5
		Cadmium (and Compounds)	1.10E-3
		Chromium (and Compounds)	1.40E-3
		Cobalt (and Compounds)	8.40E-5
		Formaldehyde	7.50E-2
		Hexane; N-Hexane	1.80
		Manganese (and Compounds)	3.80E-4
		Mercury (and Compounds)	2.60E-4
		Naphthalene	6.10E-4
		Nickel (and Compounds)	2.10E-3
		Selenium (and Compounds)	2.40E-5
		Toluene	3.40E-3
23; 24;	Tons	Acetaldehyde	1.00E-3
		Formaldehyde	2.00E-3
		Methanol	1.00E-3

\*EU 19 emission factor represents the sum of emissions from EU's 19-01, 19-04, 19-05, 19-06, and 19-07

**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

## **SECTION F – MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

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 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

**SECTION F – MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)**

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, Owensboro Regional Office, 3032 Alvey Park Dr. W., Suite 700, Owensboro, KY 42303.
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**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein, emission units 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 in accordance with the terms and conditions of this permit (F-24-063).

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

- a. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
- b. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, notification of the following:
  - (1) The date when construction commenced.
  - (2) The date of start-up of the affected facilities listed in this permit.
  - (3) The date when the maximum production rate specified in the permit application was achieved.
- c. Pursuant to 401 KAR 52:030, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.
- d. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the draft permit. Pursuant to 401 KAR 50:055, Section 2(1)(a), an owner or operator of any affected facility subject to any standard within the administrative regulations of the Division for Air Quality shall demonstrate compliance with the applicable standard(s) within sixty (60) days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial start-up of such facility. Pursuant to 401 KAR 52:030, Section 3(3)(c), sources that have not demonstrated compliance within the timeframes prescribed in 401 KAR 50:055, Section 2(1)(a), shall operate the affected facility only for purposes of demonstrating compliance unless authorized under an approved compliance plan or an order of the cabinet.
- e. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. Testing must also be conducted in accordance with General Provisions G.5 of this permit.

**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

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

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.
  - (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)].



**SECTION G - GENERAL PROVISIONS (CONTINUED)**

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

**8. Ozone depleting substances**

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

**9. Risk Management Provisions**

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

## **SECTION H - ALTERNATE OPERATING SCENARIOS**

N/A

## **SECTION I - COMPLIANCE SCHEDULE**

N/A