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

Draft

AIR QUALITY PERMIT

Issued under 401 KAR 52:030

Permittee Name:	**EnerSys Delaware Inc.**
Mailing Address:	**761 Eastern Bypass** **Richmond, KY 40475**
Source Name:	**EnerSys Delaware Inc.**
Mailing Address:	**761 Eastern Bypass** **Richmond, KY 40475**
Source Location:	**Same as above**
Permit ID:	**F-25-005**
Agency Interest #:	**2864**
Activity ID:	**APE20230002**
Review Type:	**Conditional Major, Construction/Operating**
Source ID:	**21-151-00032**
Regional Office:	**Frankfort Regional Office** **300 Sower Boulevard, 1st Floor** **Frankfort, KY 40601** **(502) 564-3358**
County:	**Madison**
Application Complete Date:	**May 20, 2025**
Issuance Date:	
Expiration Date:	

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

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Permit number	**Permit type**	**Activity#**	**Complete Date**	**Issuance Date**	**Summary of Action**
F-25-005	Renewal	APE20230002	5/20/25		Renewal 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

Table 1: Lead Acid Battery Manufacturing Plant Equipment					
Emission Point	**Process**	**Process Equipment**	**40 CFR 60, Subpart KK and 40 CFR 63, Subpart PPPPPP Affected Facility type**	**Max. Hourly Capac. (ton/hr)**	**Control Device ID, Control Efficiency, and Rated Flowrate**
EP01	**Lead Casting** Const. date: 1976, Modified 2017	13 casters; 13 melt pots heated by 13 electric heaters; associated dross drums; 1 vacuum system; 1 reclaim furnace heated by 1 electric heater, 1 associated dross drum; dip tank inlet conveyors; 4 lead oxide silos. Oxide Dept-1 melt pot heated by electric,1 dross drum. Controlled by baghouse (BH01) followed by HEPA filter (HP01).	Grid casting facility, Lead reclamation, & Other lead-emitting operation[1]	13.36	Baghouse BH01 and HEPA filter HP01 99.97% control Flowrate: 55,304 dscfm
EP02	**Assembly** Const. date: 1976	Assembly – 4 sleeve stations; 1 battery burn line; 5 button burn lines; 2 assembly lines; 2 wrap stations. Small part casting – 13 casters; 9 melt pots heated by 9 electric heaters; tinning pot; 1 trimming station; 1 electric melt pot in Cable Making Area. Lab equipment ventilation	Three-process operation facility	10.31	Baghouse BH02 99% control Flowrate: 65,887 dscfm
EP03	**Plate Finishing** Const. date: 1977	3 assembly lines; 2 plate brushing stations.	Three-process operation facility	11.01	Baghouse BH03 99% control Flowrate: 72,362 dscfm
EP 24	**Assembly** Const. date: 1997 Modified 2017	1 cut saw; 1 vacuum system.	Three-process operation facility	3.75	Baghouse BH24 99% control Flowrate: 31,407 dscfm
EP 24V	**Central Vacuum** Const. date: 1997	Central vacuum	Other lead-emitting operation	1.1	HEPA filter HP24V 99.97% control Flowrate: 1,981 dscfm

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

Table 1: Lead Acid Battery Manufacturing Plant Equipment					
Emission Point	**Process**	**Process Equipment**	**40 CFR 60, Subpart KK and 40 CFR 63, Subpart PPPPPP Affected Facility type**	**Max. Hourly Capac. (ton/hr)**	**Control Device ID, Control Efficiency, and Rated Flowrate**
EP 25	**Pasting Process** Const. date: 1998	2 paste mixing units; 2 pasting units; 2 brushing stations; 2 flash dryers heated by 2 natural gas burners: NG-25A and NG-25B, 0.25 MMBtu/hr each (See Section C); oxide silo bldg. fugitives. Oxide Dept- 2 lead pots heated by 2 electric heaters, 2 dross drums. Controlled by baghouse (BH25) followed by HEPA filter (HP25).	Paste mixing facility	9.6	Baghouse BH25 and HEPA filter HP25 99.97% control Flowrate: 61,368 dscfm
EP 35	**Casting** Const. date: 2013	3 casters; 4 melt pots heated by 4 electric heaters; associated dross drums	Grid casting facility	0.84	Baghouse BH35 99% control Flowrate: 27,652 dscfm
	Oxide Mill B Const. date: 1977	1 oxide mill reactor; Baghouse (BH11) for product collection and HEPA filter (HP11) prior to BH35.	Lead oxide manufacturing facility	1.15	
	Oxide Mill A Const. date: 1994	1 oxide mill reactor; Baghouse (BH21) for product collection and HEPA filter (HP21) prior to BH35.	Lead oxide manufacturing facility	1.15	
	Oxide Mill C Const. date: 2000	1 oxide mill reactor; Baghouse (BH31) for product collection and HEPA filter (HP31) prior to BH35.	Lead oxide manufacturing facility	1.15	
EP 36	**Cable Flux Pot** Const. date: 2007	1 tin alloying pot heated by 1 electric heater	Other lead-emitting operation	0.0015	HEPA filter HP36 99.97% control Flowrate: 393 dscfm

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

Table 1: Lead Acid Battery Manufacturing Plant Equipment					
Emission Point	**Process**	**Process Equipment**	**40 CFR 60, Subpart KK and 40 CFR 63, Subpart PPPPPP Affected Facility type**	**Max. Hourly Capac. (ton/hr)**	**Control Device ID, Control Efficiency, and Rated Flowrate**
EP 38	**Ironclad Filling** Const. date: 2013	Ironclad filling machines (3); 1 vacuum system.	Other lead-emitting operation	4.16	Baghouse BH38 99% control Flowrate: 38,137 dscfm
EP 45	**Oxide Roof Vent HV-1** Const. date: 2005	Oxide Roof Vent HV-1	Other lead-emitting operation	NA	HEPA filter HP45 99.97% control Flowrate: 4,907 dscfm
EP 46	**Oxide Roof Vent HV-2** Const. date: 2005	Oxide Roof Vent HV-2	Other lead-emitting operation	NA	HEPA filter HP46 99.97% control Flowrate: 4,907 dscfm
EP 47	**Oxide Roof Vent HV-3** Const. date: 2007	Oxide Roof Vent HV-3	Other lead-emitting operation	NA	HEPA filter HP47 99.97% control Flowrate: 4,907 dscfm
EP 48	**Oxide Roof Vent HV-4** Const. date: 2007	Oxide Roof Vent HV-4	Other lead-emitting operation	NA	HEPA filter HP48 99.97% control Flowrate: 4,907 dscfm
EP 49	**Oxide Roof Vent HV-5** Const. date: 2007	Oxide Roof Vent HV-5	Other lead-emitting operation	NA	HEPA filter HP49 99.97% control Flowrate: 4,907 dscfm

[1]See 40 CFR 60.372(b) or 40 CFR 63.11423(a)(5)

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

APPLICABLE REGULATIONS:

401 KAR 53:010, *Ambient air quality standards.*

401 KAR 59:010, *New process operations*

401 KAR 60:005, Section 2(2)(rr), 40 C.F.R. 60.370 through 60.374 (**Subpart KK**), *Standards of Performance for Lead-Acid Battery Manufacturing Plants for Which Construction, Reconstruction, or Modification Commenced After January 14, 1980, and On or Before February 23, 2022*

401 KAR 63:002, Section 2(4)(ooooo), 40 C.F.R. 63.11421 through 63.11427, Table 1 (**Subpart PPPPPP**), *National Emission Standards for Hazardous Air Pollutants for Lead Acid Battery Manufacturing Area Sources*

PRECLUDED REGULATIONS:

401 KAR 51:017, *Prevention of significant deterioration of air quality*

401 KAR 52:020, *Title V permits*

1. **Operating Limitations:**
   a. To preclude applicability of 401 KAR 51:017 and 401 KAR 52:020 for particulate matter ($PM/PM_{10}/PM_{2.5}$) emissions, the associated control device(s) shall be operational at all times that the emission unit is in operation. [401 KAR 52:030, Section 10]

   b. At all times, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, 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 the applicable standard in this part have been achieved. Determination of whether a source is operating in compliance with operation and maintenance requirements will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.11423(a)(4)]

      Compliance Demonstration Method:
      See **4. Specific Monitoring Requirements** a. through n.

   c. See **Section D, Source Emission Limitations and Testing Requirements**, Condition 3.

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

2. Emission Limitations:

a. For emissions from a control device or stack no person shall cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of the quantity specified in Appendix A to 401 KAR 59:010 and summarized below: [401 KAR 59:010, Section 3(2)]

(1) For process weight rates of 0.50 ton/hour or less: $E = 2.34$

(2) For process weight rates > 0.5 ton/hr up to 30 tons/hr: $E = 3.59 \times P^{0.62}$

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

Compliance Demonstration Method:
To demonstrate compliance with the particulate matter emission limitations specified in 401 KAR 59:010, the permittee shall monitor the process weight (tons) used by each emissions unit on a monthly basis. The process weight rate shall be determined by dividing the process weight used in each emission unit in a calendar month divided by total hours the unit operated that month. The average monthly particulate emissions shall be calculated as follows:

$$PE = \left(\frac{PW \times EF^{*}}{H}\right)$$

Where:
PE = Particulate emissions in lb/hr;
PW = Process weight in tons/month;
EF = Controlled particulate emission factor in lb/tons of process weight;
***** The particulate emission factor shall be the value determined from a Division required stack test, or Division approved value. See **3. Testing Requirements**, c.
H = Total hours of operation in a month

b. No person shall cause, suffer, allow, or permit any continuous emission into the open air from a control device or stack associated with any affected facility which is equal to or greater than twenty (20) percent opacity. [401 KAR 59:010, Section 3(1)]

Compliance Demonstration Method:
The permittee shall demonstrate compliance with the 401 KAR 59:010 opacity limitation by complying with the opacity limits under 40 CFR 63, Subpart PPPPPP Table 2, 40 CFR 60.372(a)(7), or 40 CFR 60.372(a)(8). See **2. Emission Limitations**, j., k., s., and t.

c. The permittee must meet all the standards for lead and opacity specified in 40 CFR 63.11423(a)(1) and (2) as follows: [40 CFR 63.11423(a)]

(1) Until February 23, 2026 lead acid battery manufacturing plant affected sources must comply with 40 CFR 63.11423(a)(1)(i) or (ii), as follows: [40 CFR 63.11423(a)(1)]

i. The permittee meets all the standards for lead and opacity in 40 CFR 60.372, see **2. Emission Limitations**, m. through t., and the requirements of 40 CFR 63.11423(a)(4) and (5), (b), and (c)(1) through (3). [40 CFR 63.11423(a)(1)(i)]

ii. The permittee complies with 40 CFR 63.11423(a)(2). [40 CFR 63.11423(a)(1)(ii)]

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

(2) Beginning no later than February 23, 2026, the permittee must meet each emission limit in table 1 of 40 CFR 63, Subpart PPPPPP and each opacity standard in table 2 of 40 CFR 63, Subpart PPPPPP that applies. See **2. Emission Limitations**, d. through l.. The permittee must meet the requirements of 40 CFR 63.11423(a)(4) and (5), (c), and (d); and the permittee must also comply with the recordkeeping and electronic reporting requirements in 40 CFR 63.11424(a)(6) and (7) and (b). [40 CFR 63.11423(a)(2)]

No later than February 23, 2026 the following emissions limitations from 40 CFR 63, Subpart PPPPPP will apply to the lead acid battery manufacturing plant:

d. For each new or existing grid casting facility, the permittee must emit no more than 0.08 milligram of lead per dry standard cubic meter of exhaust (0.000035 gr/dscf). [40 CFR 63, Subpart PPPPPP, Table 1]

e. For each new or existing paste mixing facility, the permittee must emit no more than 0.1 milligram of lead per dry standard cubic meter of exhaust (0.0000437 gr/dscf); or emit no more than 0.9 gram of lead per hour (0.002 lbs/hr) total from all paste mixing operations. [40 CFR 63, Subpart PPPPPP, Table 1]

f. For each new or existing three-process operation facility, the permittee must emit no more than 1.0 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 CFR 63, Subpart PPPPPP, Table 1]

g. For each new or existing lead oxide operation facility, the permittee must emit no more than 5.0 milligram of lead per dry standard cubic meter of exhaust (0.010 lb/ton). [40 CFR 63, Subpart PPPPPP, Table 1]

h. For each new or existing lead reclamation facility, the permittee must emit no more than 0.45 milligram of lead per dry standard cubic meter of exhaust (0.000197 gr/dscf). [40 CFR 63, Subpart PPPPPP, Table 1]

i. For each new or existing other lead-emitting operation facility, the permittee must emit no more than 1.0 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 CFR 63, Subpart PPPPPP, Table 1]

j. For each new or existing facility other than a lead reclamation facility, any gasses emitted must not exceed 0 percent opacity (measured according to EPA Method 9 of appendix A to 40 CFR part 60 and rounded to the nearest whole percentage or measured according to EPA Method 22 of appendix A to 40 CFR part 60). [40 CFR 63, Subpart PPPPPP, Table 2]

k. For each new or existing lead reclamation facility, any gasses emitted must not exceed 5 percent opacity (measured according to EPA Method 9 and rounded to the nearest whole percentage). [40 CFR 63, Subpart PPPPPP, Table 2]

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

l. When two or more facilities at the same plant (except the lead oxide manufacturing facility) are ducted to a common control device, an equivalent standard for the total exhaust from the commonly controlled facilities shall be determined as follows: [40 CFR 63.11423(a)(5)]

$$S_e = \sum_{a=1}^{N} S_a\left(\frac{Q_{sd_a}}{Q_{sd_T}}\right)$$

Where:
S_e= is the equivalent standard for the total exhaust stream, mg/dscm (gr/dscf).
S_a= is the actual standard for each exhaust stream ducted to the control device, mg/dscm (gr/dscf).
N=is the total number of exhaust streams ducted to the control device.
Q_{sd_a}= is the dry standard volumetric flow rate of the effluent gas stream from each facility ducted to the control device, dscm/hr (dscf/hr).
Q_{sd_T}= is the total dry standard volumetric flow rate of all effluent gas streams ducted to the control device, dscm/hr (dscf/hr).

The following emissions limitations from 40 CFR 60 Subpart KK apply to the lead acid battery manufacturing plant:

m. From any grid casting facility, no owner or operator shall discharge into the atmosphere any gases that contain in excess of 0.40 milligram of lead per dry standard cubic meter of exhaust (0.000175 gr/dscf). [40 CFR 60.372(a)(1)]

n. From any paste mixing facility, no owner or operator shall discharge into the atmosphere any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 CFR 60.372(a)(2)]

o. From any three-process operation facility, no owner or operator shall discharge into the atmosphere any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 CFR 60.372(a)(3)]

p. From any lead oxide manufacturing facility, no owner or operator shall discharge into the atmosphere any gases that contain in excess of 5.0 milligrams of lead per kilogram of lead feed (0.010 lb/ton). [40 CFR 60.372(a)(4)]

q. From any lead reclamation facility, no owner or operator shall discharge into the atmosphere any gases that contain in excess of 4.50 milligrams of lead per dry standard cubic meter of exhaust (0.00197 gr/dscf). [40 CFR 60.372(a)(5)]

r. From any other lead-emitting operation, no owner or operator shall discharge into the atmosphere any gases that contain in excess of 1.00 milligram of lead per dry standard cubic meter of exhaust (0.000437 gr/dscf). [40 CFR 60.372(a)(6)]

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

s. The permittee shall not cause to be discharged into the atmosphere from any affected facility other than a lead reclamation facility any gases with greater than 0 percent opacity (measured according to Method 9 and rounded to the nearest whole percentage). [40 CFR 60.372(a)(7)]

t. The permittee shall not cause to be discharged into the atmosphere from any lead reclamation facility any gases with greater than 5 percent opacity (measured according to Method 9 and rounded to the nearest whole percentage). [40 CFR 60.372(a)(8)]

u. When two or more facilities at the same plant (except the lead oxide manufacturing facility) are ducted to a common control device, an equivalent standard for the total exhaust from the commonly controlled facilities shall be determined as follows: [40 CFR 60.372(b)]

$$S_e = \sum_{a=1}^{N} S_a\left(\frac{Q_{sd_a}}{Q_{sd_T}}\right)$$

Where:
S_e= is the equivalent standard for the total exhaust stream.
S_a= is the actual standard for each exhaust stream ducted to the control device.
N=is the total number of exhaust streams ducted to the control device.
Q_{sd_a}= is the dry standard volumetric flow rate of the effluent gas stream from each facility ducted to the control device.
Q_{sd_T}= is the total dry standard volumetric flow rate of all effluent gas streams ducted to the control device.

Compliance Demonstration Methods:

(1) See **4. Specific Monitoring Requirements**

(2) For compliance with the emissions standards under 40 CFR 63, Subpart PPPPPP **(2. Emission Limitations**, c. through k.), see **3. Testing Requirements**, a. and d.

(3) Compliance for the emissions standards under 40 CFR 60, Subpart KK is assumed by complying with the emissions standards under 40 CFR 63, Subpart PPPPPP.

v. The lead emissions from each emission point shall not exceed the emission limits presented in the following table: [401 KAR 52:030, Section 10; 401 KAR 53:010]

Table 2: Modeled Lead Emission Limits Based on 401 KAR 53:010

Emission Point	Emission Unit Description	Lead Emission Limit (lb/hr)
EP 01	Lead Casting	0.083
EP 02	Assembly	0.095
EP 03	Plate Finishing	0.095
EP 24	Assembly	0.028
EP 24V	Central Vacuum	0.002

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

Table 2: Modeled Lead Emission Limits Based on 401 KAR 53:010		
Emission Point	**Emission Unit Description**	**Lead Emission Limit (lb/hr)**
EP 25	Pasting Process	0.127
EP 35	Casting and Oxide Mills A, B and C	0.0311
EP 36	Cable Flux Pot	0.0002
EP 38	Ironclad Filling	0.02
EP 45	Oxide Roof Vent HV-1	0.0022
EP 46	Oxide Roof Vent HV-2	0.0022
EP 47	Oxide Roof Vent HV-3	0.0022
EP 48	Oxide Roof Vent HV-4	0.0022
EP 49	Oxide Roof Vent HV-5	0.0022

Compliance Demonstration Method:
See **3. Testing Requirements. b.**, **4. Specific Monitoring Requirements**, **and 5. Specific Recordkeeping Requirements.**

w. Refer to **Section D, Source Emission Limitations and Testing Requirements,** 3.

3. Testing Requirements:

a. The permittee must meet the performance testing requirements in 40 CFR 63.11423(c)(1) through (6): [40 CFR 63.11423(c)]

(1) Existing sources are not required to conduct an initial performance test if a prior performance test was conducted using the same methods specified in 40 CFR 63.11423(c)(2)(i) through (iv) and either no process changes have been made since the test, or the permittee can demonstrate that the results of the performance test, with or without adjustments, reliably demonstrate compliance with this subpart despite process changes. [40 CFR 63.11423(c)(1)]

(2) Sources without a prior performance test, as described in 40 CFR 63.11423(c)(1), must conduct an initial performance test using the methods specified in 63.11423(c)(2)(i) through (iv). [40 CFR 63.11423(c)(2)]

(3) In conducting the initial performance tests required in 40 CFR 63.7, the permittee must use as reference methods and procedures the test methods in appendix A to 40 CFR part 60 or other methods and procedures as specified 40 CFR 63.11423(c), except as provided in 40 CFR 63.7(f). [40 CFR 63.11423(c)(3)]

(4) After the initial performance test described in 40 CFR 63.11423(c)(1) through (3), the permittee must conduct subsequent performance tests every 5 years to demonstrate compliance with each applicable emissions limitations and opacity standards. Within three years of February 23, 2023, performance testing must be conducted for each affected source subject to an applicable emissions limitation in tables 1 and 2 of 40 CFR 63, Subpart PPPPPP that has not had a performance test within the last 5 years, except as described in 40 CFR 63.11423(c)(6). Thereafter, subsequent performance tests for each affected source must be completed no less frequently than every 5 years from the date the emissions source was last tested. [40 CFR 63.11423(c)(4)]

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

(5) The permittee may not conduct performance tests during periods of malfunction. The permittee must record the process information that is necessary to document operating conditions during the test and include in such record an explanation to support that such conditions represent normal operation. The permittee must make available to the Administrator in the test report, records as may be necessary to determine the conditions of performance tests. [40 CFR 63.11423(c)(6)]

b. The permittee shall conduct subsequent performance tests to determine the lead emission rate (in both lb/hr and lb/ ton) for each emission point no less frequent than every 5 years. The facility shall perform additional performance testing upon request by the Division. [401 KAR 50:045, Section 1]

c. The permittee shall conduct a performance test in accordance with U.S EPA Reference Method 5 for each emission point in order to obtain a particulate matter emission factor (in lb/ton) which will be used to demonstrate compliance with the 401 KAR 59:010 mass emission standard and **Section D.** 4. The Method 5 test shall be conducted concurrently with the next required test for lead emission limit compliance pursuant to 40 CFR 63.11423(c). [401 KAR 50:045, Section 1]

d. For EP01 and EP25: To demonstrate compliance with 40 CFR 60.372(b), 40 CFR 60.372(a)(2), 40 CFR 63.11423(a)(5), and 40 CFR 63, Subpart PPPPPP, Table 1, after the addition of post control HEPA filters, performance tests shall be conducted in accordance with U.S. EPA Reference Methods 9 and 12. The testing shall be conducted no later than February 23, 2026. [401 KAR 50:045, Section 1]

e. For additional test conditions refer to **Section G.4** and **G.5**.

4. <u>Specific Monitoring Requirements:</u>

For any emissions point controlled by a fabric filter (baghouse), the permittee shall:

a. Perform semiannual inspections and maintenance to ensure proper performance of each fabric filter. This includes inspection of structural and filter integrity. The permittee shall record the results of these inspections. [40 CFR 63.11423(b)(2)(i)] Note: The permittee may satisfy this requirement via quarterly inspections.

b. Install, maintain, and operate a pressure drop monitoring device to measure the differential pressure drop across the fabric filter during all times when the process is operating. The pressure drop must be recorded at least once per day. If a pressure drop is observed outside of the normal operational ranges as specified by the manufacturer, the permittee shall record the incident and take immediate corrective actions. The permittee shall also record the corrective actions taken. The permittee shall submit a monitoring system performance report in accordance with 40 CFR 63.10(e)(3). [40 CFR 63.11423(b)(2)(ii)] Note: Pressure drop monitoring is required at least once every 15 minutes by the March 19, 2013 Agreed Order (CASE NO. DAQ 120202). See **4. Specific Monitoring Requirements k and l**.

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

c. Conduct a visible emissions observation at least once per day to verify that no visible emissions are occurring at the discharge point to the atmosphere from any emissions source subject to the requirements of paragraph (a) of 40 CFR 63.11423. If visible emissions are detected, the permittee shall record the incident and conduct an opacity measurement (Method 9) in accordance with 40 CFR 60.374(b)(3). The permittee shall record the results of each opacity measurement. If the measurement exceeds the applicable opacity standard in 40 CFR 60.372(a)(7) or (8), the permittee shall submit this information in an excess emissions report required under 40 CFR 63.10(e)(3). [40 CFR 63.11423(b)(2)(iii)]

d. Fabric filters equipped with a HEPA filter or other secondary filter are allowed to monitor less frequently, as specified as follows: [40 CFR 63.11423(b)(2)(iv)]
   (1) If the permittee is using a pressure drop monitoring device to measure the differential pressure drop across the fabric filter in accordance with 40 CFR 63.11423(b)(2)(ii), the permittee shall record the pressure drop at least once per week. If a pressure drop is observed outside of the normal operational ranges as specified by the manufacturer, the permittee shall record the incident and take immediate corrective actions. The permittee shall also record the corrective actions taken. The permittee shall submit a monitoring system performance report in accordance with 40 CFR 63.10(e)(3), or [40 CFR 63.11423(b)(2)(iv)(A)] Note: Pressure drop monitoring is required at least once every 15 minutes by the March 19, 2013 Agreed Order (CASE NO. DAQ 120202). See **4. Specific Monitoring Requirements** k. and l.
   (2) If the permittee is conducting visible emissions observations in accordance with 40 CFR 63.11423(b)(2)(iii), the permittee shall conduct such observations at least once per week and record the results in accordance with 40 CFR 63.11423(b)(2)(iii). If visible emissions are detected, the permittee shall record the incident and conduct an opacity measurement in accordance with 40 CFR 60.374(b)(3). The permittee shall record the results of each opacity measurement. If the measurement exceeds the applicable opacity standard in 40 CFR 60.372(a)(7) or (8), the permittee shall submit this information in an excess emissions report required under 40 CFR 63.10(e)(3). [40 CFR 63.11423(b)(2)(iv)(B)]

Emissions points controlled by a fabric filter (baghouse) without a secondary filter must meet the requirements of 40 CFR 63.11423(e)(2)(i) and (ii) and 40 CFR 63.11423 (e)(2)(iii), as follows: [40 CFR 63.11423(e)(2)]

e. The permittee must perform quarterly inspections and maintenance to ensure proper performance of each fabric filter. This includes inspection of structural and filter integrity. [40 CFR 63.11423(e)(2)(i)]

f. If it is not possible for the permittee to take the corrective actions specified in 40 CFR 63.11423(e)(2)(iii)(C) or (D) for a process or fabric filter control device, the permittee must keep at least one replacement fabric filter onsite at all times for that process or fabric filter control device. The characteristics of the replacement filters must be the same as the current fabric filters in use or have characteristics that would achieve equal or greater emission reductions. [40 CFR 63.11423(e)(2)(ii)]

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

g. Install, maintain, and operate a pressure drop monitoring device to measure the differential pressure drop across the fabric filter during all times when the process is operating. The pressure drop must be recorded at least twice per day (at least 8 hours apart) if the results of the most recent performance test indicate that emissions are greater than 50 percent of the lead emissions limit in table 1 to 40 CFR 63, Subpart PPPPPP. The pressure drop must be recorded at least once per day if the results of the most recent performance test indicate that emissions are less than or equal to 50 percent of the lead emissions limit in table 1. (Note: Pressure drop monitoring is required at least once every 15 minutes by the March 19, 2013 Agreed Order (CASE NO. DAQ 120202). See **4. Specific Monitoring Requirements** k. and l.) If a pressure drop is observed outside of the normal operational ranges, you must record the incident and take immediate corrective actions. The permittee must submit an excess emissions and continuous monitoring system performance report and summary report required under 40 CFR 63.11424(c). The permittee must also record the corrective actions taken and verify pressure drop is within normal operational range. These corrective actions may include but are not limited to those provided in 40 CFR 63.11423(e)(2)(iii)(A) through (D). [40 CFR 63.11423(e)(2)(iii)]
   (1) Inspecting the filter and filter housing for air leaks and torn or broken filters. [40 CFR 63.11423(e)(2)(iii)(A)]
   (2) Replacing defective filter media, or otherwise repairing the control device. [40 CFR 63.11423(e)(2)(iii)(B)]
   (3) Sealing off a defective control device by routing air to other control devices. [40 CFR 63.11423(e)(2)(iii)(C)]
   (4) Shutting down the process producing the lead emissions. [40 CFR 63.11423(e)(2)(iii)(D)]

Emissions points controlled by a fabric filter (baghouse) equipped with a secondary filter, such as a HEPA filter, must meet the requirements of 40 CFR 63.11423(e)(3)(i) and (ii) and 40 CFR 63.11423(e)(3)(iii), as follows: [40 CFR 63.11423(e)(3)]

h. The permittee must perform the inspections required in 40 CFR 63.11423(e)(2)(i) quarterly. [40 CFR 63.11423(e)(3)(i)]

i. If it is not possible to take the corrective actions specified in 40 CFR 63.11423(e)(2)(iii)(C) or (D) for a process or fabric filter control device, the permittee must keep at least one replacement primary fabric filter and one replacement secondary filter onsite at all times for that process or fabric filter control device. The characteristics of the replacement filters must be the same as the current fabric filters in use or have characteristics that would achieve equal or greater emission reductions. [40 CFR 63.11423(e)(3)(ii)]

j. The permittee must perform the pressure drop monitoring requirements in 40 CFR 63.11423(e)(2)(iii). The permittee may perform these requirements once weekly rather than once or twice daily. [40 CFR 63.11423(e)(3)(iii)]
   Note: Pressure drop monitoring is required at least once every 15 minutes by the March 19, 2013 Agreed Order (CASE NO. DAQ 120202). See **4. Specific Monitoring Requirements** k. and l.

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

k. The permittee shall install, calibrate, maintain, and operate monitoring devices that measure and record the pressure drop across all baghouses that emit directly to the atmosphere and the HEPA filters that secondarily control the process baghouses at least once every 15 minutes. The monitoring devices shall have an accuracy of +/-5 percent over its operating range. Monitoring every 15 minutes shall begin upon installation of the required equipment on each control device. If a pressure drop is observed outside of the normal operating ranges, the permittee must record the incident and take immediate corrective actions. The permittee must also record the corrective actions taken. The data shall be available for inspection by the Division upon request. [401 KAR 52:030, Section 10 and the March 19, 2013 Agreed Order (CASE NO. DAQ 120202)]

l. The installation of the recording (data logging) system equipment necessary to record pressure drops every 15 minutes shall be completed and the system shall begin recording data by one hundred and eighty (180) days after the issuance of Permit F-13-025. [401 KAR 52:030, Section 10 and the March 19, 2013 Agreed Order (CASE NO. DAQ 120202)]

m. The permittee shall develop and submit to the Division a written monitoring plan which establishes the normal operating ranges for pressure drop for all operational cycles of each baghouse. The monitoring plan shall include manufacturer's specifications for pressure drop and any information used to determine or support the established pressure drop for each baghouse. [401 KAR 52:030, Section 10]

n. The permittee shall conduct quarterly inspections of the baghouses, HEPA Filters and their associated capture systems to assure proper operation. This inspection shall include observations of the physical appearance of the equipment (*e.g.,* presence of holes in ductwork or hoods, flow constrictions caused by dents or excess accumulations of dust in ductwork, and fan erosion), and the building to determine if there are any areas for uncaptured particulate matter to escape. Any deficiencies that are determined by the operator to materially impact the efficacy of the capture system shall be noted and proper maintenance performed. [401 KAR 52:030, Section 10]

o. The permittee shall monitor the following: [401 KAR 52:030, Section 10]
   (1) Total monthly process weight for each emission unit
   (2) Total monthly hours of operation of each unit rounded to the nearest quarter hour

5. <u>Specific Recordkeeping Requirements:</u>

a. The permittee must keep the records of failures to meet an applicable standard in this part as specified in 40 CFR 63.11424(a)(5)(i) through (iii), as follows: [40 CFR 63.11424(a)(5)]
   (1) In the event that an affected unit fails to meet an applicable standard in this part, record the number of failures. For each failure record the date, time, cause, and duration of each failure. [40 CFR 63.11424(a)(5)(i)]
   (2) For each failure to meet an applicable standard in this part, record and retain a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit and a description of the method used to estimate the emissions. [40 CFR 63.11424(a)(5)(ii)]

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

(3) Record actions taken to minimize emissions and any corrective actions taken to return the affected unit to its normal or usual manner of operation. [40 CFR 63.11424(a)(5)(iii)]

b. The permittee shall maintain written record of any incident when lead containing material is spilled or overflows the container and contacts a burner, or flame. The record should include the date and time of the incident and any corrective action taken to minimize the emissions and their effect on air quality resulting from the occurrence. [401 KAR 52:030, Section 10]

c. The permittee shall maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. [401 KAR 59:005, Section 3(2)]

d. Any records required to be maintained by this subpart 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 63.11424(d)]

e. The permittee shall keep records of any deficiencies that impact the effectiveness of the capture and control systems as found during the quarterly inspection required by **4. Specific Monitoring Requirements** n. and must record the maintenance or corrective action taken to restore the system to proper operating conditions. [401 KAR 52:030, Section 10]

f. The permittee shall keep records of the following: [401 KAR 52:030, Section 10]
(1) Total monthly process weight used for each emission unit
(2) Total monthly hours of operation of each unit rounded to the nearest quarter hour

6. Specific Reporting Requirements:

a. Refer to **Section F, Monitoring, Recordkeeping, and Reporting Requirements**.

b. Within 60 days after the date of completing each performance test or demonstration of compliance required by this subpart, the permittee must submit the results of the performance test following the procedures specified in 40 CFR 63.9(k) and 40 CFR 63.11424(b)(1) through (3), as follows: [40 CFR 63.11424(b)]
(1) **Data collected using test methods 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.** Submit the results of the performance test 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 data must be submitted in a file format generated using the EPA's ERT. Alternatively, you may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. [40 CFR 63.11424(b)(1)]

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

(2) **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.** The results of the performance test must be included as an attachment in the ERT or an alternate electronic file consistent with the XML schema listed on the EPA's ERT website. Submit the ERT generated package or alternative file to the EPA via CEDRI. If a performance test consists only of opacity measurements, reporting using the ERT and CEDRI is not required. [40 CFR 63.11424(b)(2)]

(3) **Data collected containing confidential business information (CBI)**. All CBI claims must be asserted at the time of submission. Do not use CEDRI to submit information claimed as CBI. Anything submitted using CEDRI cannot later be claimed CBI. [40 CFR 63.11424(b)(3)]

c. Beginning on February 23, 2024, or once the report template for this subpart has been available on the CEDRI website for one-year, whichever date is later, the permittee must submit a report of excess emissions and monitoring systems performance report and summary report according to 40 CFR 63.9(k) and 40 CFR 63.10(e)(3) to the Administrator semiannually. Report the number of failures to meet an applicable standard in this part. For each instance, report the date, time, cause, and duration of each failure. For each failure, the report must include a list of the affected sources or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit, and a description of the method used to estimate the emissions. The permittee must use the appropriate electronic report template on the CEDRI website (https://www.epa.gov/electronic-reporting-air-emissions/cedri) or an alternate electronic file consistent with the XML schema listed on the CEDRI website for this subpart. The date report templates become available will be listed on the CEDRI website. Unless the Administrator or delegated state agency or other authority has approved a different schedule for submission of reports, the report must be submitted by the deadline specified in this subpart, regardless of the method in which the report is submitted. Submit all reports to the EPA via CEDRI, which can be accessed through the EPA's CDX (https://cdx.epa.gov/). The EPA will make all the information submitted through CEDRI available to the public without further notice. Do not use CEDRI to submit information you claim as CBI.[40 CFR 63.11424(c)]

7. <u>Specific Control Equipment Operating Conditions:</u>

Emission Point	Control Equipment	Monitoring and Operating Parameters	Comments
EP 01, EP 02, EP 03, EP 24, EP 25, EP 35, and EP 38	Baghouse	Pressure Drop	a) Refer to **Section E** b) Exceedance of operating parameters shall be reported and/or repaired in accordance with **Section F,** Condition 8

a. Baghouses shall be operated in accordance with design parameters and operating parameters, as established during testing, at all times the emission point is in operation. Operating parameters shall be established during the time frame of compliance testing. [401 KAR 52:030, Section 10]

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

b. Each baghouse shall be inspected on a quarterly basis. Preventive maintenance shall be performed in accordance with manufacturer's specifications. Each baghouse shall be inspected on a quarterly basis for proper operation of the following: [401 KAR 52:030, Section 10]
   (1) Shaker or vibrator device to release dust cake from bags;
   (2) Airflow source and equipment
   (3) Pressure drop measuring system; and
   (4) Physical appearance of the baghouse and building enclosure.

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

Emission Point 18 (EP 18) Water Heater
Description:
Model: RBI HW2400
Heat Input Capacity: 2.01 MMBtu/hr
Fuel: Natural Gas
Construction Commenced: 2007

Emission Point 22 (EP 22) Process Boiler
Description:
Model: Cleaver Brooks CBE 700-100
Heat Input Capacity: 4.20 MMBtu/hr
Fuel: Natural Gas
Construction Commenced: 1995

Emission Point 23 (EP 23) Process Boiler
Description:
Model: Cleaver Brooks CBE 700-100
Heat Input Capacity: 4.20 MMBtu/hr
Fuel: Natural Gas
Construction Commenced: 1995

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

STATE-ORIGIN REQUIREMENT:
401 KAR 63:020, *Potentially hazardous matter or toxic substances*

PRECLUDED REGULATIONS:
401 KAR 51:070, *Prevention of significant deterioration of air quality*

401 KAR 52:020, *Title V permits*

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

   a. The permittee shall comply with 401 KAR 50:055, Section 2(5); [401 KAR 59:015, Section 7(1)(a)]
   b. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility; [401 KAR 59:015, Section 7(1)(b)]
   c. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods; [401 KAR 59:015, Section 7(1)(c)]
   d. The actions, including duration of the startup period, of the permittee of each affected facility 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)]

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

e. Startups and shutdowns shall be conducted according to either: [401 KAR 59:015, Section 7(1)(e)]
   (1) The manufacturer's recommended procedures; or [401 KAR 59:015, Section 7(e)(1)1.]
   (2) Recommended procedures for a unit of similar design, for which manufacturer's recommended procedures are available, as approved by the cabinet based on documentation provided by the permittee. [401 KAR 59:015, Section 7(e)(2)2.]

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

2. Emission Limitations:

a. For EP 22 and 23, 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)]

b. For EP 18, the permittee shall not cause emissions of particulate matter in excess of 0.49 lb/MMBtu actual heat input. [401 KAR 59:015, Section 4(1)(c)]

c. The permittee shall not cause emissions of particulate matter in excess of 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
   (1) The permittee shall not cause emissions of particulate matter in excess of 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
   (2) For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 4(2)(c)]

d. For EP 22 and 23, 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)]

e. For EP 18, the permittee shall not cause emissions of gases that contain sulfur dioxide in excess of 2.35 lb/MMBtu actual heat input. [401 KAR 59:015, Section 5(1)(c)]

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

f. Persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. No owner or operator shall allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants. Evaluation of such facilities as to adequacy of controls and/or procedures and emission potential will be made on an individual basis by the cabinet. [401 KAR 63:020, Section 3]

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

Compliance Demonstration Method:
Based upon the emission rates of 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.

g. Refer to **Section D, Source Emissions Limitations and Testing Requirements**

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:**
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]

   b. The permittee shall keep 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:**
Refer to Section **F, Monitoring, Recordkeeping and Reporting Requirements**.

SECTION C – INSIGNIFICANT ACTIVITIES

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

Description	Generally Applicable Regulation
1. EP 07 – Acid Dip and scrubber (4,100 lb/hr)	401 KAR 59:010, 401 KAR 63:020
2. EP 20 – Battery Tray Painting (0.14 lb/hr)	401 KAR 63:020
3. EP 32 – Boiler (0.68 MMBtu/hr)	401 KAR 59:010, 401 KAR 63:020
4. EP 33 – Battery Formation	401 KAR 59:010, 401 KAR 63:020
5. OSI-1 – Natural Gas Vent (0.1 MMBtu/hr)	401 KAR 59:010, 401 KAR 63:020
6. OSI-2 – Natural Gas Vent (0.1 MMBtu/hr)	401 KAR 59:010, 401 KAR 63:020
7. OSI-3 – Natural Gas Vent (0.5 MMBtu/hr)	401 KAR 59:010, 401 KAR 63:020
8. OSI-4 – Natural Gas Vent (0.8 MMBtu/hr)	401 KAR 59:010, 401 KAR 63:020
9. NG-25A- Gas Vent 1 Flash (0.25 MMBtu/hr)	401 KAR 59:010, 401 KAR 63:020
10. NG-25B- Gas Vent 2 Flash (0.25 MMBtu/hr)	401 KAR 59:010, 401 KAR 63:020
11. NG-41 Three (3) Natural Gas Comfort Heaters (0.2 MMBtu/hr each)	401 KAR 63:020

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing 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. Lead and particulate matter emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 CFR Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.

3. No person shall violate, or interfere with the attainment or maintenance of, ambient air quality standards as specified in 401 KAR 53:010. [401 KAR 53:005, Section 1(3)]

   Compliance Demonstration Method:

   a. Based upon the process rates, emission factors, control efficiencies, and other pertinent information provided in the application and supplemental information submitted by the source, and compliance with all emission limitations and control requirements in S**ECTION B**, the Cabinet determines the affected facility to be in compliance with 401 KAR 53:010.

   b. The permittee shall perform air dispersion modeling to demonstrate that the permittee does not cause or contribute to an exceedance to the National Ambient Air Quality Standards (NAAQS). Modeling shall be performed and the results shall be submitted to the Division for approval if:
      (1) The NAAQS for lead is changed.
      (2) An average hourly emission rate for any emission unit in **Section B,** *Lead Acid Battery Manufacturing Plant Equipment* exceeds the emission limit. See **Section B**, *Lead Acid Battery Manufacturing Plant Equipment,* **2. Emission Limitations.** v.
      (3) Requested by the Division.

4. To preclude the applicability of 401 KAR 52:020, *Title V permits,* and 401 KAR 51:017, *Prevention of significant deterioration of air quality,* the total - source-wide particulate matter ($PM/PM_{10}/PM_{2.5}$) emissions (from all units in Section B and C) shall not exceed 90 tons per year on a twelve (12) consecutive month basis [401 KAR 52:030, Section 10]

   Compliance Demonstration Method:

   The permittee shall sum the monthly emission rates from each of the emission points in Section B and in Section C during each twelve (12) consecutive month period, using the equations shown below. For particulate matter emission rate calculations 0% control must be assumed for any 60-minute monitoring period where the average pressure drop across a control device is outside of its normal operating parameters. Refer to **Section B,** *Lead*

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

*Acid Battery Manufacturing Plant Equipmen*t, **4. Specific Monitoring Requirements.** k. through m.

$$E_{PM} = \sum_{i=1}^{n} \frac{\left[(PW_i * EF_i^*) * \left(\frac{H_{ictrl}}{H_{itotal}}\right)\right] + \left[\frac{(PW_i * EF_i^*)}{(1 - CE_i)} * \left(\frac{H_{iunctrl}}{H_{itotal}}\right)\right]}{2000\ \frac{lb}{ton}}$$

Where:
E_{PM} = Total monthly particulate matter emissions in tons/month;
n = The total number of emission points from which particulate matter is emitted;
i = Each emission point from which particulate matter is emitted;
PW_i = Process weight used at emission point i in tons/month;
EF_i = Controlled emission factor for particulate matter at emission point i in lbs/ton;
* The particulate matter emission factor shall be the current Division approved value until the Division required stack test has been conducted.
H_{ictrl} = Hours emission point i operated with control device within operating parameters, refer to **Section B,** *Lead Acid Battery Manufacturing Plant Equipmen*t, **4. Specific Monitoring Requirements.** k. through m.
H_{itotal} = Hours emission point i operated
$H_{iunctrl}$ = Hours emission point i operated with control device outside operating parameters, refer to **Section B,** *Lead Acid Battery Manufacturing Plant Equipmen*t, **4. Specific Monitoring Requirements.** k. through m.
CE_i = Control efficiency for controls used at emission point .
CE* shall be the current Division approved value (Refer to **Section B, *Lead Acid Battery Manufacturing Plant Equipment*, Table 1: Lead Acid Battery Manufacturing Plant Equipment), or the value determined from a Division approved stack test (if conducted).

The source-wide monthly particulate matter emission rate (tons/month) as calculated above shall be used to show compliance with the source-wide rolling 12-month limit

$$E_{total} = \sum_{x=1}^{12} (E_{PM})_x$$

Where:
E_{PM} = Total monthly particulate matter emissions in tons/month;
x = Month

5. To preclude the applicability of 401 KAR 52:020, *Title V permits,* the total source-wide Lead emissions (from all units in Section B and C of the permit) shall not exceed 2.16 tons per year on a twelve (12) consecutive month basis [401 KAR 52:030, Section 10]

Compliance Demonstration Method:
The permittee shall sum the monthly emission rates from each of the emission points in Section B and in Section C during each twelve (12) consecutive month period the equations shown below. For Lead emission rate calculations, 0% control must be assumed for any 60-minute monitoring period where the average pressure drop across a control device is outside of its normal operating parameters. Refer to **Section B,** *Lead Acid Battery Manufacturing Plant Equipmen*t, **4. Specific Monitoring Requirements** k. through m..

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

$$E_{Lead} = \sum_{i=1}^{n} \frac{\left[(PW_i * EF_i^*) * \left(\frac{H_{ictrl}}{H_{itotal}}\right)\right] + \left[\frac{(PW_i * EF_i^*)}{(1 - CE_i)} * \left(\frac{H_{iunctrl}}{H_{itotal}}\right)\right]}{2000\ \frac{lb}{ton}}$$

Where:
E_{Lead} = Total monthly Lead emissions in tons/month;
n = The total number of emission points from which Lead is emitted;
i = Each emission point from which Lead is emitted;
PW_i = Process weight used at emission point i in tons/month;
EF_i = Controlled emission factor for lead at emission point i in lbs/ton;
* The lead emission factor shall be the value determined from the most recent Division approved stack test.
H_{ictrl} = Hours emission point i operated with control device within operating parameters, in a calendar month, rounded to the nearest quarter hour. Refer to **Section B,** *Lead Acid Battery Manufacturing Plant Equipmen*t, **4. Specific Monitoring Requirements** k. through m.
H_{itotal} = Hours emission point i operated in a calendar month, rounded to the nearest quarter hour.
$H_{iunctrl}$ = Hours emission point i operated with control device outside operating parameters, in a calendar month, rounded to the nearest quarter hour. Refer to **Section B,** *Lead Acid Battery Manufacturing Plant Equipmen*t, **4. Specific Monitoring Requirements** k. through m.
CE_i = Control efficiency for controls used at emission point i;
CE* shall be the current Division approved value (Refer to **Section B, *Lead Acid Battery Manufacturing Plant Equipmen*t, Table 1: Lead Acid Battery Manufacturing Plant Equipment), or the value determined from a Division approved stack test (if conducted).

The source-wide monthly lead emission rate (tons/month) as calculated above shall be used to show compliance with the source-wide rolling 12-month limit

$$E_{total} = \sum_{x=1}^{12} (E_{Lead})_x$$

Where:
E_{Lead} = Total monthly particulate matter emissions in tons/month;
x = Month

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

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. [401 KAR 50:055, Section 2(5)]

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

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

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

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

   Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.

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

5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26] 6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030, Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General

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

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.

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

e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, Frankfort Regional Office, 300 Sower Boulevard, 1st Floor, Frankfort, KY 40601.

10. In accordance with 401 KAR 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.

SECTION G - GENERAL PROVISIONS (CONTINUED)

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, control equipment associated with EU01 and EU25 in accordance with the terms and conditions of this permit.

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 52:020, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.

d. Pursuant to 401 KAR 50:055, Section 2(1)(a), an owner or operator of any affected facility subject to any standard within the administrative regulations of the Division for Air Quality shall demonstrate compliance with the applicable standard(s) within sixty (60) days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial start-up of such facility. Pursuant to 401 KAR 52:020, Section 3(3)(c), sources that have not demonstrated compliance within the timeframes prescribed in 401 KAR 50:055, Section 2(1)(a), shall operate the affected facility only for purposes of demonstrating compliance unless authorized under an approved compliance plan or an order of the cabinet.

e. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. Testing must also be conducted in accordance with General Provisions G.5 of this permit.

f. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

SECTION G - GENERAL PROVISIONS (CONTINUED)

5. Testing Requirements

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

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

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

6. Acid Rain Program Requirements

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

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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

None

SECTION I – COMPLIANCE SCHEDULE

None