

**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:** Farmers Rural Electric Cooperative Corporation  
**Mailing Address:** 504 South Broadway Street  
Glasgow, KY 42141

**Source Name:** Farmers Rural Electric Cooperative Corporation  
**Mailing Address:** 504 South Broadway Street  
Glasgow, KY 42141

**Source Location:** 175 Donnelley Drive,  
Glasgow, KY 42141

**Permit ID:** F-24-016  
**Agency Interest #:** 136727  
**Activity ID:** APE20240001  
**Review Type:** Conditional Major, Operating  
**Source ID:** 21-009-00084

**Regional Office:** Bowling Green Regional Office  
1508 Westen Avenue  
Bowling Green, KY 42104  
(270) 746-7475

**County:** Barren

**Application Complete Date:** March 20, 2024  
**Issuance Date:**  
**Expiration Date:**

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

TABLE OF CONTENTS

SECTION	ISSUANCE	PAGE
A. PERMIT AUTHORIZATION	Renewal	1
B. EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS	Renewal	2
C. INSIGNIFICANT ACTIVITIES	Renewal	9
D. SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS	Renewal	10
E. SOURCE CONTROL EQUIPMENT REQUIREMENTS	Renewal	11
F. MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS	Renewal	12
G. GENERAL PROVISIONS	Renewal	15
H. ALTERNATE OPERATING SCENARIOS	Renewal	21
I. COMPLIANCE SCHEDULE	Renewal	22

<b>Permit</b>	<b>Permit Type</b>	<b>Activity#</b>	<b>Complete Date</b>	<b>Issuance Date</b>	<b>Summary of Action</b>
<b>F-24-016</b>	<b>Renewal</b>	<b>APE20240001</b>	<b>3/19/2024</b>		<b>Renewal</b>

## **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 and 02 Two Diesel-fired Generator Engines****Description:**

Model:	Caterpillar 3516B, 16 cyl., 69 liter
Max. Power:	2,876 hp each
Max. Fuel Consumption:	145.4 gal/hr each
Construction Commenced:	12/1/2005
Manufactured:	Prior to 2001

**APPLICABLE REGULATIONS:**

**401 KAR 63:002**, Section 2(4)(eeee), 40 CFR 63.6580 through 63.6675, Tables 1a through 8, and Appendix A (**Subpart ZZZZ**), *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*

**NON-APPLICABLE REGULATIONS:**

**401 KAR 60:005**, Section 2(2)(dddd), 40 CFR 60.4200 through 60.4219, Tables 1 through 8 (**Subpart IIII**), *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*

**1. Operating Limitations:**

- a. The engines shall not be operated for a combined total of more than 1,410 hours per year, based on a twelve-month rolling total [to preclude the applicability of 401 KAR 52:020]

**Compliance Demonstration Method:**

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

- b. The permittee must be in compliance with the applicable emission limitations, operating limitations and other requirements in 40 CFR 63, Subpart ZZZZ at all times. [40 CFR 63.6605(a)]
- c. 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 this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator 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 63.6605(b)]
- d. The permittee must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel. [40 CFR 63.6604(a)]
- e. The permittee must minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to 40 CFR 63, Subpart ZZZZ apply. [40 CFR 63.6625(h)]

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

- f. If the permittee is complying with the requirement to limit or reduce the concentration of CO in the stationary RICE exhaust and using an oxidation catalyst, the permittee must:
- i. Maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the initial performance test; and [40 CFR 63, Subpart ZZZZ, Table 2b(2)(a)]
  - ii. Maintain the temperature of your stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. [40 CFR 63, Subpart ZZZZ, Table 2b(2)(b)]

**Compliance Demonstration Method:**

See **4. Specific Monitoring Requirements b.**

- g. If the engine is not equipped with a closed crankcase ventilation system, the permittee must comply with either 40 CFR 63.6625(g)(1) or (g)(2). The permittee must follow the manufacturer's specified maintenance requirements for operating and maintaining the open or closed crankcase filters, or can request the Administrator to approve different maintenance requirements that are as protective as manufacturer requirements: [40 CFR 63.6625(g)]
- i. Install a closed crankcase ventilation system that prevents crankcase emissions from being emitted into the atmosphere, or [40 CFR 63.6625(g)(1)]
  - ii. Install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals. [40 CFR 63.6625(g)(2)]

**2. Emission Limitations:**

The permittee shall either limit the concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O<sub>2</sub>, or reduce CO emissions by 70 percent or more. [40 CFR 63, Subpart ZZZZ, Table 2d(3)]

**Compliance Demonstration Method:**

See **3. Testing Requirements a.** and **4. Specific Monitoring Requirements b.**

**3. Testing Requirements:**

- a. The permittee must conduct performance tests every 8,760 hours or 3 years, whichever comes first. [40 CFR 63, Subpart ZZZZ, Table 3(4)]
- b. Testing must be conducted according to either:
  - i. For units complying by reducing CO emissions, testing shall be conducted according to 40 CFR 63, Subpart ZZZZ, Table 4(1)(a)(i) through Table 4(1)(a)(iv). [40 CFR 63.6620(a)]

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

- ii. For units complying by limiting the concentration of CO in the stationary RICE exhaust, testing shall be conducted according to 40 CFR 63, Subpart ZZZZ, Table 4(3)(a)(i) through Table 4(3)(a)(v). [40 CFR 63.6620(a)]
- c. Each performance test must be conducted according to the requirements of Table 4 of 40 CFR 63, Subpart ZZZZ. If the permittee owns or operates a non-operational stationary
- d. RICE that is subject to performance testing, the permittee does not need to start up the engine solely to conduct the performance test. The permittee can conduct the performance test when the engine is started up again. [40 CFR 63.6620(b)]
- e. The permittee must conduct three separate test runs for each performance test required in this section, as specified in 40 CFR 63.7(e)(3). Each test run must last at least 1 hour, unless otherwise specified in 40 CFR 63, Subpart ZZZZ. [40 CFR 63.6620(d)]
- f. The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the notification of compliance status. The following information must be included in the written report: the engine model number, the engine manufacturer, the year of purchase, the manufacturer's site-rated brake horsepower, the ambient temperature, pressure, and humidity during the performance test, and all assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained. If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accurate in percentage of true value must be provided. [40 CFR 63.6620(i)]
- g. 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 hours of operation and fuel usage for each engine on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall collect the catalyst inlet temperature data according to 40 CFR 63.6625(b), and reduce this data to 4-hour rolling averages; and maintain the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and measure the pressure drop across the catalyst once per month and demonstrate that the pressure drop across the catalyst is within the operating limitation established during the performance test. [40 CFR 63, Subpart ZZZZ, Table 6(10)(a)(ii) through (v)]
- c. Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, the permittee must monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. [40 CFR 63.6635(b)]

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

- d. The permittee may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in date averages and calculations used to report emission or operating levels. The permittee must, however, use all valid data collected during all other periods. [40 CFR 63.6635(c)]

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain records of hours of operation and fuel usage for each engine on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain a copy of each notification and report that is submitted to comply with 40 CFR 63, Subpart ZZZZ, including all documentation supporting any Initial Notification or Notification of Compliance Status that is submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv). [40 CFR 63.6655(a)(1)]
- c. The permittee shall maintain records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. [40 CFR 63.6655(a)(2)]
- d. The permittee shall maintain records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii). [40 CFR 63.6655(a)(3)]
- e. The permittee shall maintain records of all required maintenance performed on the air pollution control and monitoring equipment. [40 CFR 63.6655(a)(4)]
- f. The permittee shall maintain records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR 63.6655(a)(5)]
- g. For each CEMS or CPMS, the permittee must keep the records listed in 40 CFR 63.6655(b)(1) through (3): [40 CFR 63.6655(b)]
- i. Records described in 40 CFR 63.10(b)(2)(vi) through (xi). [40 CFR 63.6655(b)(1)]
- ii. Previous (*i.e.*, superseded) versions of the performance evaluation plan as required in 40 CFR 63.8(d)(3). [40 CFR 63.6655(b)(2)]
- iii. Requests for alternatives to the relative accuracy tests for CEMS or CPMS as required in 40 CFR 63.8(f)(6)(i), if applicable. [40 CFR 63.6655(b)(3)]
- h. Records must be in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1). [40 CFR 63.6660(a)]
- i. As specified in 40 CFR 63.10(b)(1), the permittee must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [40 CFR 63.6660(b)]

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

- j. The permittee must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). [40 CFR 63.6660(c)]

**6. Specific Reporting Requirements:**

- a. The permittee must report each instance in which each emission limitation or operating limitation in 40 CFR 63, Subpart ZZZZ, Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d that is applicable is not met. These instances are deviations from the emission and operating limitations of 40 CFR 63, Subpart ZZZZ. These deviations must be reported according to the requirements of 40 CFR 63.6650. If the catalyst is changes, the permittee must reestablish the values of the operating parameters measured during the initial performance test. When the values of the operating parameters are reestablish, the permittee must also conduct a performance test to demonstrate that the required emission limitation applicable to the stationary RICE is being met. [40 CFR 63.6640(b)]
- b. The permittee must report each instance in which requirements in 40 CFR 63, Subpart ZZZZ, Table 8 that apply are not met. [40 CFR 63.6640(d)]
- c. The permittee must submit all of the notification in 40 CFR 63.7(b) and (c), 63.8(e),(f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h), that are applicable by the dates specified. [40 CFR 63.6645(a)]
- d. The permittee must submit a compliance report, which must meet the following requirements: [40 CFR 63, Subpart ZZZZ, Table 7(1)]
- i. If there are no deviations from any emission limitations or operating limitations that apply, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period. If there were no periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in 40 CFR 63.8(c)(7), a statement that there were not periods during which the CMS was out-of-control during the reporting period; or [40 CFR 63, Subpart ZZZZ, Table 7(1)(a)]
1. The compliance report must be submitted semi-annually according to the requirements in 40 CFR 63.6650(b)(1) through 5. [40 CFR 63, Subpart ZZZZ, Table 7(1)(a)(i)]
- ii. If the permittee had a deviation from any emission limitation or operating limitation during the reporting period, the information in 40 CFR 63.6650(d). If there were periods during which the CMS, including CEMS and CPMS, was out-of-control, as specified in 40 CFR 63.8(c)(7), the information in 40 CFR 63.6650(e); or, [40 CFR 63, Subpart ZZZZ, Table 7(1)(b)]
1. The compliance report must be submitted semiannually according to the requirements in 40 CFR 63.6650(b). [40 CFR 63, Subpart ZZZZ, Table 7(1)(b)(i)]
- iii. If the permittee had a malfunction during the reporting period, the information in 40 CFR 63.6650(c)(4). [40 CFR 63, Subpart ZZZZ, Table 7(1)(b)]



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

1. The compliance report must be submitted semiannually according to the requirements in 40 CFR 63.6650(b). [40 CFR 63, Subpart ZZZZ, Table 7(1)(c)(i)]
- e. Unless the Administrator has approved a different schedule for submission of reports under 40 CFR 63.10(a), the permittee must submit each report by the date in 40 CFR 63, Subpart ZZZZ, Table 7 and according to the requirements in 40 CFR 63.6650(b)(1) through b(9): [40 CFR 63.6650(b)]
  - i. For semiannual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for the affected source in 40 CFR 63.6595 and ending on June 30 or December 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for the source in 40 CFR 63.6595. [40 CFR 63.6650(b)(1)]
  - ii. For semiannual Compliance reports, the first Compliance report must be postmarked or delivered no later than July 31, or January 31, whichever date follows the end of the first calendar half after the compliance date that is specified for the affected source in 40 CFR 63.6595. [40 CFR 63.6650(b)(2)]
  - iii. For semiannual Compliance reports, each subsequent Compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. [40 CFR 63.6650(b)(3)]
  - iv. For semiannual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. [40 CFR 63.6650(b)(4)]
  - v. For each stationary RICE that is subject to permitting regulations pursuant to 40 CFR part 70 or 71, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), the permittee may submit the first and subsequent Compliance reports according to the dates the permitting authority has established instead of according to the dates in 40 CFR 63.6650(b)(1) through (b)(4). [40 CFR 63.6650(b)(5)]
  - vi. For annual Compliance reports, the first Compliance report must cover the period beginning on the compliance date that is specified for the affected source in 40 CFR 63.6595 and ending on December 31. [40 CFR 63.6650(b)(6)]
  - vii. For annual Compliance reports, the first Compliance report must be postmarked or delivered no later than January 31 following the end of the first calendar year after the compliance date that is specified for the affected source in 40 CFR 63.6595. [40 CFR 63.6650(b)(7)]
  - viii. For annual Compliance reports, each subsequent Compliance report must cover the annual reporting period from January 1 through December 31. [40 CFR 63.6650(b)(8)]
  - ix. For annual Compliance reports, each subsequent Compliance report must be postmarked or delivered no later than January 31. [40 CFR 63.6650(b)(9)]

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

- f. The Compliance report must contain the information in 40 CFR 63.6650(c)(1) through (c)(6): [40 CFR 63.6650(c)]
  - i. Company name and address. [40 CFR 63.6650(c)(1)]
  - ii. Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report. [40 CFR 63.6650(c)(2)]
  - iii. Date of report and beginning and ending dates of the reporting period. [40 CFR 63.6650(c)(3)]
  - iv. If the permittee had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with 40 CFR 63.6605(b), including actions taken to correct a malfunction. [40 CFR 63.6650(c)(4)]
  - v. If there are no deviations from any emission or operating limitations that apply, a statement that there were no deviations from the emission or operating limitations during the reporting period. [40 CFR 63.6650(c)(5)]
  - vi. If there were no periods during which the continuous monitoring system (CMS), including CEMS and CPMS, was out-of-control, as specified in 40 CFR 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period. [40 CFR 63.6650(c)(6)]
- g. See **Section F – Monitoring, Recordkeeping and Reporting Requirements.**

**SECTION C - INSIGNIFICANT ACTIVITIES**

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

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. 1,200 Gallon Fuel Tank	N/A

## **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. Carbon monoxide and nitrogen oxides 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. Emissions of carbon monoxide and nitrogen oxides shall not exceed 90 tons per year, based on a twelve-month rolling total. [To Preclude 401 KAY 52:020]

### **Compliance Demonstration Method:**

The engines shall not be operated for a combined total of more than 1,410 hours per year, based on a twelve-month rolling total. The permittee shall monitor and maintain records of the hours of operation of each engine on a monthly basis.

## **SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS**

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

## **SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS**

1. Pursuant to Section 1b-IV-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
  - a. Date, place (as defined in this permit), and time of sampling or measurements;
  - b. Analyses performance dates;
  - c. Company or entity that performed analyses;
  - d. Analytical techniques or methods used;
  - e. Analyses results; and
  - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five (5) years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030, Section 3(1)(f)1a, and Section 1a-7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
3. In accordance with the requirements of 401 KAR 52:030, Section 3(1)f, the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
  - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
  - b. To access and copy any records required by the permit;
  - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].

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

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030, Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1, the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken shall be submitted to the Regional Office listed on the front of this permit. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement does not identify a specific time frame for reporting deviations, prompt reporting, as required by Sections 1b-V, 3 and 4 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26 shall be defined as follows:
  - a. For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
  - b. For emissions of any regulated air pollutant, excluding those listed in F.8.a., that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
  - c. All deviations from permit requirements, including those previously reported, shall be included in the semiannual report required by F.6.
9. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
  - a. Identification of each term or condition;
  - b. Compliance status of each term or condition of the permit;
  - c. Whether compliance was continuous or intermittent;
  - d. The method used for determining the compliance status for the source, currently and over the reporting period.
  - e. For an emissions unit that was still under construction or which has not commenced operation

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, Regional Office, 2642 Russellville Road, Bowling Green, KY 42101.
10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within 30 days of the date the Kentucky Emissions Inventory System (KYEIS) emissions survey is mailed to the permittee. If a KYEIS emissions survey is not mailed to the permittee, then the permittee shall comply with all other emissions reporting requirements in this permit.
  11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
    - a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
      - (1) The size and location of both the original and replacement units; and
      - (2) Any resulting change in emissions;
    - b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
    - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
    - d. The replacement unit shall comply with all applicable requirements; and
    - e. The source shall notify Regional office of all shutdowns and start-ups.
    - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
      - (1) Re-install the original unit and remove or dismantle the replacement unit; or
      - (2) Submit an application to permit the replacement unit as a permanent change.



**SECTION G - GENERAL PROVISIONS**1. General Compliance Requirements

- a. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030, Section 3(1)(b), and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a-2 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a-5 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030, Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - (1) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030, Section 12;
  - (2) The Cabinet or the United States Environmental Protection Agency (U. S. EPA) determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
  - (3) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.
- d. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a- 6 and 7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030, Section 3(1)(c)].

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

- f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030, Section 7(1)].
- g. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-11 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- h. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- i. All emission limitations and standards contained in this permit shall be enforceable as a practical matter. All emission limitations and standards contained in this permit are enforceable by the U.S. EPA and citizens except for those specifically identified in this permit as state-origin requirements. [Section 1a-12 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- j. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- k. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030, Section 11(3)].
- l. This permit does not convey property rights or exclusive privileges [Section 1a-8 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- m. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.
- n. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
- o. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.

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

- p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
- q. Pursuant to 401 KAR 52:030, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
  - (1) Applicable requirements that are included and specifically identified in this permit; and
  - (2) Non-applicable requirements expressly identified in this permit.

**2. Permit Expiration and Reapplication Requirements**

- a. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six (6) months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030, Section 12].
- b. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030, Section 8(2)].

**3. Permit Revisions**

- a. Minor permit revision procedures specified in 401 KAR 52:030, Section 14(3), may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the State Implementation Plan (SIP) or in applicable requirements and meet the relevant requirements of 401 KAR 52:030, Section 14(2).
- b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

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

No construction authorized by this permit (F-24-016).

**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;

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

- (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)].
  - 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*.

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

### 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