

**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 52:020**

**Permittee Name:** Holley Performance Products, Inc.  
**Mailing Address:** 442 Century Street  
Bowling Green, KY 42101

**Source Name:** Holley Performance Products, Inc.  
**Mailing Address:** 442 Century Street  
Bowling Green, KY 42101

**Source Location:** Same as above

**Permit ID:** V-24-041  
**Agency Interest #:** 136460  
**Activity ID:** APE20240001  
**Review Type:** Title V, Construction / Operating  
**Source ID:** 21-227-00213

**Regional Office:** Bowling Green Regional Office  
2642 Russellville Road  
Bowling Green, KY 42101  
(270) 746-7475

**County:** Warren

**Application  
Complete Date:** December 16, 2024  
**Issuance Date:**  
**Expiration Date:**

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

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<b>Permit</b>	<b>Permit Type</b>	<b>Activity#</b>	<b>Complete Date</b>	<b>Issuance Date</b>	<b>Summary of Action</b>
V-24-041	Initial	APE20240001	12/16/2024		Initial Construction Permit

## **SECTION A - PERMIT AUTHORIZATION**

Pursuant to a duly submitted application the Kentucky Energy and Environment Cabinet (Cabinet) hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been 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 52:020, Title V Permits.

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.

PT	– Total particulate matter
PM <sub>10</sub>	– Particulate matter equal to or smaller than 10 micrometers
CO	– Carbon monoxide
NO <sub>x</sub>	– Nitrogen oxides
SO <sub>2</sub>	– Sulfur dioxide
VOC	– Volatile Organic Compounds
PTE	– Potential to Emit
MMBtu/hr	– Million British Thermal Units per Hour
Btu/hr	– British Thermal Units per Hour
Division	– Kentucky Division for Air Quality
Holley	– Holley Performance Product Manufacturing
U.S.EPA	– Unites States Environmental Protection Agency
TPY	– Tons per year
Cabinet	– Kentucky Energy and Environmental Cabinet
HEPA	– High Efficiency Particulate Air
NSPS	– New Source Performance Standards
MSDS	– Material Safety Data Sheet
TAP	– Toxic Air Pollutants
EP	– Emission Point Number
KAR	– Kentucky Administrative Regulations

**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS****EP 01 (12)                    10 Carburetor Test Stands and 2 Master-Flow Test Stands**

**Description:** Holley Built Test Stands are used to test new and reconditioned carburetors. Incidental testing is conducted throughout the facility on carburetors and other parts using Solve-A-Clean 155. All the test stands are vented to a single stack.

Maximum Annual Capacity: 38,807 gallons/yr of solvent

Construction Commenced: 2025

Control Equipment: None

**APPLICABLE REGULATIONS:**

**401 KAR 50:012, *General application***

**1. Operating Limitations:**

- a. The permittee shall as a minimum apply control procedures that are reasonable, available, and practical. [401 KAR 50:012, Section 1(2)]
- b. The permittee shall utilize a closed loop supply line system and a vapor recovery system to reduce VOC emissions from EP 01. [401 KAR 50:012, Section 1(2)]
- c. The permittee shall ensure test fluid supply and recycle lines on the carburetors are properly sealed to mitigate test fluid evaporation. [401 KAR 50:012, Section 1(2)]

**2. Emission Limitations:**

None

**3. Testing Requirements:**

Pursuant to 401 KAR 50:045, Section 1, performance testing using the Reference Methods specified in Regulation 401 KAR 50:015 shall be conducted if required by the Cabinet.

**4. Specific Monitoring Requirements:**

- a. The permittee shall monitor the following: [401 KAR 52:020, Section 10]
  - i. The monthly usage of all materials used; and
  - ii. The monthly total hours of operation.
- b. Refer to **SECTION F** for general monitoring requirements.

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain records of the following: [401 KAR 52:020, Section 10]
  - i. The monthly usage of all materials used;
  - ii. The monthly total hours of operation; and
  - iii. MSDS for all materials used.
- b. Refer to **SECTION F** for general recordkeeping requirements.

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

**6. Specific Reporting Requirements:**

Refer to **SECTION F** for general reporting requirements.

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

### **EP 02 [02(a, b, c)] 3 Cold Cleaners**

**Description:** Three cold cleaning units used to clean casting parts or completed carburetors.

<b>EP #</b>	<b>Process Description</b>
02(a)	One cold cleaner unit utilizes a stream of solvent to clean incoming parts to be reconditioned.
02(b)	One cold cleaner unit is used in the maintenance shop. It utilizes a pump to flow solvent Carburetor Cleaner through a brush to clean parts.
02(c)	One cold cleaner unit utilizes a water and soap solution.

Maximum Usage: 1,369 gallons/yr

Construction Commenced: 2025

Control Equipment: None

### **APPLICABLE REGULATIONS:**

**401 KAR 59:185, *New solvent metal cleaning equipment***

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

- a. Waste solvent shall not be disposed of or transferred to another party so that greater than twenty (20) percent by weight of the waste solvent can evaporate into the atmosphere. Waste solvent shall be stored only in covered containers. [401 KAR 59:185, Section 4(2)(a)]
- b. The degreaser cover shall be closed if not handling parts in the cleaner. [401 KAR 59:185, Section 4(2)(b)]
- c. Cleaned parts shall be drained for a minimum of fifteen (15) seconds, or until dripping ceases, whichever is longer. [401 KAR 59:185, Section 4(2)(c)]
- d. The flushing of parts with a flexible hose or other flushing device shall be performed only within the freeboard area of the cold cleaner. The solvent flow shall be directed downward to avoid turbulence at the air-solvent interface so as to prevent the solvent from splashing outside of the cold cleaner. [401 KAR 59:185, Section 4(2)(d)]
- e. Work area fans shall be positioned so that air is not directed across the opening of the cold cleaner. [401 KAR 59:185, Section 4(2)(e)]
- f. The use of an air-agitated solvent bath is prohibited. A pump-agitated solvent bath shall be operated so as to produce no observable splashing of the solvent against either the tank wall or the parts that are being cleaned. [401 KAR 59:185, Section 4(2)(f)]
- g. The cold cleaner shall be free of all liquid leaks. Auxiliary cleaning equipment such as pumps, water separators, steam traps, or distillation units shall not have any visible leaks, tears, or cracks. [401 KAR 59:185, Section 4(2)(g)]

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

- h. Spills that occur during solvent transfer shall be cleaned immediately. Wipe rags, or other absorbent equipment and materials, used to clean the spill shall be stored in a covered container for disposal unless storage of these items is prohibited by fire protection authorities. [401 KAR 59:185, Section 4(2)(h)]

**2. Emission Limitations:**

None

**3. Testing Requirements:**

Pursuant to 401 KAR 50:045, Section 1, performance testing using the Reference Methods specified in Regulation 401 KAR 50:015 shall be conducted if required by the Cabinet.

**4. Specific Monitoring Requirements:**

- a. The permittee shall monitor the following: [401 KAR 52:020, Section 10]
  - i. The monthly usage of all materials used; and
  - ii. The monthly total hours of operation.
- b. Refer to **SECTION F** for general monitoring requirements.

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain records of the following: [401 KAR 52:020, Section 10]
  - i. The monthly usage of all material used;
  - ii. The monthly total hours of operation; and
  - iii. MSDS for all materials used.
- b. Refer to **SECTION F** for general recordkeeping requirements.

**6. Specific Reporting Requirements:**

Refer to **SECTION F** for general reporting requirements.

**7. Specific Control Equipment Operating Conditions:**

- a. The permittee shall install, maintain and operate the control equipment and observe at all times the operating requirements that apply to this type of degreaser as specified in 401 KAR 59:185, Section 4. [401 KAR 59:185, Section 3]
  - i. The cleaner shall be equipped with a cover. If the solvent volatility is greater than fifteen (15) mm Hg measured at 100°F or if the solvent is agitated or heated, then the cover shall be designed so that it can be easily operated with one (1) hand. [401 KAR 59:185, Section 4(1)(a)]
  - ii. The cleaner shall be equipped with a drainage facility so that solvent that drains off parts removed from the cleaner will return to the cleaner. If the solvent volatility is greater than thirty-two (32) mm Hg measured at 100°F then the drainage facility shall be internal so that parts are enclosed under the cover while draining. The drainage facility may be external if the cabinet determines that an internal type cannot fit into the cleaning system. [401 KAR 59:185, Section 4(1)(b)]
  - iii. A permanent, conspicuous label, summarizing the operating requirements specified in sub-section (2) of 401 KAR 59:185, Section (4)(2) shall be installed on or near the

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

- cleaner. [401 KAR 59:185, Section 4(1)(c)]
- iv. If used, the solvent spray shall be a fluid stream, not a fine, atomized or shower type spray, and at a pressure that does not cause excessive splashing. [401 KAR 59:185, Section 4(1)(d)]
  - v. If the solvent volatility is greater than thirty-two (32) mm Hg measured at 100°F or if the solvent is heated above 120°F, then one (1) of the following control devices shall be used: [401 KAR 59:185, Section 4(1)(e)]
    - 1) Freeboard height that gives a freeboard ratio greater than or equal to seven-tenths (0.7); [401 KAR 59:185, Section 4(1)(e)(1)]
    - 2) Water cover, solvent shall be insoluble in and heavier than water; or [401 KAR 59:185, Section 4(1)(e)(2)]
    - 3) Other systems of equivalent control, such as a refrigerated chiller or carbon adsorption. [401 KAR 59:185, Section 4(1)(e)(3)]
- b. Refer to **SECTION E**.



**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****EP 03            1 “Sticks” Surface Coating Booth**

**Description:** Surface spray coating booth coating metal automotive piping (“Sticks”) using L-800 Black HT coating. Automotive piping is cut and welded prior to surface coating. The coated piping is then sent to an electric curing oven (0.41 MMBtu/hr) to cure the coatings. These activities constitute a “coating line” as defined in 401 KAR 59:225.

Maximum Annual Capacity: 432.65 gallons/yr

Construction Commenced: 2025

Control Equipment: Dry Filter

**APPLICABLE REGULATIONS:**

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

**STATE-ORIGIN REQUIREMENTS:**

**401 KAR 63:020**, *Potentially hazardous matter or toxic substances*

**PRECLUDED REGULATIONS:**

**401 KAR 59:225**, *New miscellaneous metal parts and products surface coating operations*

**1. Operating Limitations:**

The permittee shall limit the operation of and materials used in EP 03 as necessary to meet the limits in **2. Emission Limitations.**

**2. Emission Limitations:**

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

**Compliance Demonstration Method:**

Refer to **4. Specific Monitoring Requirements (b)** and **5. Specific Recordkeeping Requirements (b)**.

- b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of the quantity specified in 401 KAR 59:010, Appendix A: [401 KAR 59:010, Section 3(2)]
- i. For process weight rates up to 0.5 ton/hr:             $E = 2.34$
- ii. For process weight rates up to 30 ton/hr:             $E = 3.59P^{0.62}$
- iii. For process weight rates in excess of 30 ton/hr:  $E = 17.31P^{0.16}$
- Where: E is the rate of emission in lb/hr and P is the process weight rate in tons/hr.

**Compliance Demonstration Method:**

To demonstrate compliance with the particulate matter emissions limitations specified in 401 KAR 59:010, the permittee shall monitor the amounts and types of process weight added to each emissions unit. The process weight rate shall be determined by dividing the

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

tons of material added to each emission unit in a calendar month divided by total hours the unit operated that month. The monthly average 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* = particulate emission factor in lb/tons of process weight;

\* The particulate emission factor shall be the number determined from AP-42, MSDS, the most recent Division approved stack test, or Division approved value; and

*H* = total hours of operation in a month

- c. The affected facility shall be exempt from 401 KAR 59:225 if the total VOC emissions from all affected facilities (EP 03) are less than or equal to 20 tons per year. [401 KAR 59:225, Section 6(3)]

### **Compliance Demonstration Method:**

Refer to **4. Specific Monitoring Requirements** and **4. Specific Recordkeeping Requirements**.

- d. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants. [401 KAR 63:020]

### **Compliance Demonstration Method:**

The Cabinet determines that the source is in compliance with 401 KAR 63:020 based on the rate of emissions of airborne toxics determined by the Cabinet using information provided in the application and any supplemental information submitted by the source when meeting all operational and emission limitations.

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

Pursuant to 401 KAR 59:005, Section 2 (2) and 401 KAR 50:045, Section 1, performance testing using the Reference methods specified in Regulation 401 KAR 50:015 shall be conducted if required by the Cabinet.

### **4. Specific Monitoring Requirements:**

- a. The permittee shall monitor the following: [401 KAR 52:020, Section 10]
- i. The monthly usage of all materials used; and
  - ii. The monthly total hours of operation.
- b. The permittee shall perform a qualitative visual observation of the opacity of emissions from the stack no less frequently than once per calendar month while the affected facility is operating. If visible emissions from the stack are observed (not including condensed water in the plume), then the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method

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

9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:020, Section 10]

- c. The permittee shall calculate monthly and 12-month rolling emissions of VOC to ensure compliance with the emissions limit listed in Section 2. **Emission Limitations** (c). [401 KAR 52:020, Section 10]
- d. Refer to **SECTION F** for general monitoring requirements.

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain records of the following: [401 KAR 52:020, Section 10]
  - i. The monthly usage of all materials used;
  - ii. The monthly total hours of operation; and
  - iii. The VOC content of all materials used and the MSDS for each.
- b. The permittee shall retain records of the qualitative visual observations required by **4. Specific Monitoring Requirements** (b), including the date, time, initials of observer, whether any emissions were observed (yes/no), any Method 9 readings taken, and any corrective action taken including results due to observed emissions. [401 KAR 52:020, Section 10]
- c. The permittee shall maintain records of monthly and 12-month rolling emissions of VOC to ensure compliance with the emissions limit listed in Section 2. **Emission Limitations** (c). [401 KAR 52:020, Section 10]
- d. Refer to **SECTION F** for general recordkeeping requirements.

**6. Specific Reporting Requirements:**

Refer to **SECTION F** for general reporting requirements.

**7. Specific Control Equipment Operating Conditions:**

- a. The permittee shall install, operate and maintain all control device(s) associated with each emission point according to the manufacturer's specifications and during all times that the associated emission point is operating. [401 KAR 52:020, Section 10]
- b. Refer to **SECTION E**.

**SECTION C - INSIGNIFICANT ACTIVITIES**

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, 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. GMAW/SMAW Welding	401 KAR 59:010 401 KAR 63:020
2. SWECO Shaker	None
3. Electric Heated Washer Maxjet (MJ5060)	401 KAR 63:010
4. 4 Aqueous Vibratory Cleaners	None
5. 6 Two-Part Foam Packing Units	401 KAR 63:010

## **SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS**

1. As required by Section 1b of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. PM, VOC, and opacity 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.

## **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 Title V Permits* incorporated by reference in 401 KAR 52:020, 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 [Sections 1b-IV-2 and 1a-8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. In accordance with the requirements of 401 KAR 52:020, Section 3(1)h, 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.
  - d. 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 Title V Permits* incorporated by reference in 401 KAR 52:020, 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 52:020, Section 23. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported

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

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 permittee 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 Title V Permits* incorporated by reference in 401 KAR 52:020, 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 52:020, Title V permits, 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 and the U.S. EPA in accordance with the following requirements:
  - a. Identification of the term or condition;
  - b. Compliance status of each term or condition of the permit;
  - c. Whether compliance was continuous or intermittent;
  - d. The method used for determining the compliance status for the source, currently and over the reporting period.
  - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.



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

- f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the following addresses:

Division for Air Quality	U.S. EPA Region 4
Bowling Green Regional Office	Air Enforcement Branch
2642 Russellville Road	Atlanta Federal Center
Bowling Green, KY 42101	61 Forsyth St. SW
	Atlanta, GA 30303-8960

10. In accordance with 401 KAR 52:020, Section 22, 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.

## SECTION G - GENERAL PROVISIONS

### 1. General Compliance Requirements

- a. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020, 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 termination, revocation and reissuance, revision or denial of a permit [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - i. 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 52:020, Section 12;
  - ii. 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;
  - iii. 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;
  - iv. New requirements become applicable to a source subject to the Acid Rain Program.

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. Reopening's shall be made as expeditiously as practicable. Reopening's 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- 7 and 8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:020, 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 52:020, 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-14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-15 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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 52:020, Section 11(3) b].
- l. This permit does not convey property rights or exclusive privileges [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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 [401 KAR 52:020, Section 11(3) d.].
- 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 [401 KAR 52:020, Section 11(3) a.].

**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 52:020, Section 11, a permit shield shall not protect the permittee 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:
  - i. Applicable requirements that are included and specifically identified in this permit; and
  - ii. 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 52:020, Section 12].
- b. The authority to operate granted 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 52:020, Section 8(2)].

**3. Permit Revisions**

- a. A minor permit revision procedure 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 52:020, Section 14(2).
- b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

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

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein, **EP 01 (10 Carburetor Test Stands and 2 Master-Flow Test Stands), EP 02 (3 Cold Cleaners), and EP 03 (1 "Sticks" Surface Coating Booth)** in accordance with the terms and conditions of permit V-24-041.

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

- a. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
  - b. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, notification of the following:
    - (1) The date when construction commenced.
    - (2) The date of start-up of the affected facilities listed in this permit.
    - (3) The date when the maximum production rate specified in the permit application was achieved.
  - c. Pursuant to 401 KAR 52:020, 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.
  - a. 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.
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)

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

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.
- b. The permittee shall comply with all applicable requirements and conditions of the Acid Rain Permit and the Phase II permit application (including the Phase II NO<sub>x</sub> compliance plan and averaging plan, if applicable) incorporated into the Title V permit issued for this source. The source shall also comply with all requirements of any revised or future acid rain permit(s) issued to this source.

**7. Emergency Provisions**

- a. Pursuant to 401 KAR 52:020, Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
  - i. An emergency occurred and the permittee can identify the cause of the emergency;
  - ii. The permitted facility was at the time being properly operated;
  - iii. 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
  - iv. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.1-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.

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

- v. This requirement does not relieve the source of other local, state or federal notification requirements.
  - b. Emergency conditions listed in General Condition G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].
  - c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(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:
    - i. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
    - ii. 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.
    - iii. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
    - iv. 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 82.155.
    - v. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156 and 40 CFR 82.157.
    - vi. 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, *and Servicing of Motor Vehicle Air Conditioners*.
9. **Risk Management Provisions**
- a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to U.S. EPA using the RMP\* eSubmit software.
  - b. If requested, submit additional relevant information to the Division or the U.S. EPA.

**SECTION H - ALTERNATE OPERATING SCENARIOS**

N/A

**SECTION I - COMPLIANCE SCHEDULE**

None