

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

Draft

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

Permittee Name: IPSCO Tubulars Inc.
Mailing Address: 100 Steel Plant Road,
Wilder, KY 41071

Source Name: IPSCO Tubulars (Kentucky) Inc.
Mailing Address: 100 Steel Plant Road
Wilder, KY 41071

Source Location: 100 Steel Plant Road, Wilder, KY

Permit ID: F-25-013
Agency Interest #: 613
Activity ID: APE20250001
Review Type: Conditional Major, Operating
Source ID: 21-037-00006

Regional Office: Florence Regional Office
8020 Veterans Memorial Drive, Suite 110
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**Application
Complete Date:** April 16, 2025
Issuance Date:
Expiration Date:

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

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Permit	Permit Type	Activity #	Complete Date	Issuance Date	Summary of Action
F-25-013	Renewal	APE20250001	4/16/2025		Renewal Permit

SECTION A - PERMIT AUTHORIZATION

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

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

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

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**Emission Unit 02 (09) 16" Pipe Coating Line****Description:**

Continuous steel pipe coater using a clear coat lacquer to coat pipes. Clear coat is applied using one airless spray applicator with twelve nozzles positioned on the wheel of an enclosed structure.

Control Device: Filters with 90% control efficiency for PM/PM₁₀ emissions

Construction Commenced: 1984

APPLICABLE REGULATIONS:

401 KAR 50:012, Section 1(5). *General application.*

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

1. Operating Limitations:

- a. The permittee shall not remove control equipment or discontinue procedures previously required in a nonattainment area to achieve the national ambient air quality standards until a state implementation plan containing different requirements has been approved by the U.S. EPA. Accordingly, the permittee must continue to comply with the requirements from 401 KAR 59:225 originally applicable to the emission unit. [401 KAR 50:012, Section 1(5)]
- b. The filters shall be in place and operated according to the manufacturer's specifications and recommendations at any time the associated coating line is in use. [401 KAR 52:030, Section 10]
- c. The permittee shall only apply clear coats with a VOC content that is less than 0.52 kg/l of coating (four and three-tenths (4.3) lb/gal), excluding water or exempt solvent or both, delivered to applicators associated with clear coat. [401 KAR 50:012 Section 1(5)]

Compliance Demonstration Method:

Refer to Subsection **3. Testing Requirements** and **5. Specific Recordkeeping Requirements**

2. Emission Limitations:

- a. No person shall cause, suffer, allow, or permit any continuous emission into the open air from a control 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** and **5. Specific Recordkeeping Requirements** for opacity compliance demonstration.

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

- b. No person shall cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 lb/hr. [401 KAR 59:010, Section 3(2)]

Compliance Demonstration Method:

The source is assumed to be in compliance when the filters are in place and properly maintained. Refer to **4. Specific Monitoring Requirements** and **5. Specific Recordkeeping Requirements**.

- c. VOC emissions from this coating line (EU02) shall not exceed 76.1 tons during any consecutive twelve (12) month period. [401 KAR 50:012, Section 1(5)]

Compliance Demonstration Method:

Compliance with the VOC emission limit above may be determined by the following equation:

$$E_{VOC} = \sum_{i=1}^{12} \sum_{j=1}^n \left(\frac{P_{ij} * VOC_j}{2000} \right) + \sum_{i=1}^{12} \sum_{k=1}^m \left(\frac{S_{ik} * VOC_k}{2000} \right)$$

Where E_{VOC} = 12-month rolling total VOC emissions (tons/year), i = month, j = coating, n = total number of coatings applied at this point, P_{ij} = coating j usage rate for month i (gal/month), VOC_j = VOC content of coating j (lb/gal), k = solvent, m = total number of solvents used at this point, S_{ik} = solvent k usage rate for month i (gal/month), and VOC_k = VOC content of solvent k (lb/gal).

- d. Refer to Section D for the source-wide VOC emission limitations.

3. Testing Requirements:

- a. If the Division requires it, the owner or operator shall use EPA Reference Method 24, or other methods approved by the Division, to verify that the coatings used at an affected facility comply with the requirements in **1. Operating Limitations**. [401 KAR 50:012 Section 1(5)]
- b. 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 perform a qualitative visual observation of the opacity of emissions at each stack no less than weekly while the affected facility is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]

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

- b. The permittee shall visually inspect the filter once a week during the operation of the unit to ensure the manufacturer's recommendations are followed. [401 KAR 52:030, Section 10]
- c. The permittee shall monitor the amount and type of coating or solvent used at each point of application, including exempt compounds daily. [401 KAR 50:012 Section 1(5)]
- d. The permittee shall monitor the VOC content as applied in each coating or solvent. [401 KAR 50:012 Section 1(5)]
- e. The permittee shall monitor the amount and type of clean-up, or wash-up solvent (including exempt compounds) used and the VOC content of each daily. [401 KAR 50:012 Section 1(5)]
- f. The permittee shall monitor the 12-month rolling total VOC emissions for this coating line (EU02) monthly. [401 KAR 52:030, Section 10]
- g. The permittee shall monitor the 12-month rolling total source-wide VOC emissions monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain a log of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements (a)** including the date, time, initials of observer, whether any emissions were observed (yes/no), and any U.S. EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain a log of the weekly filter inspection, including the date, and document filter replacements. [401 KAR 52:030, Section 10]
- c. Daily records shall be maintained by the permittee for the most recent two (2) year period. These records shall be made available to the cabinet or the U.S. EPA upon request. The records shall include, but not be limited to, the following: [401 KAR 50:012 Section 1(5)]
 - (1) Applicable administrative regulation number;
 - (2) Application method and substrate type;
 - (3) Amount and type of adhesive, coating (including catalyst and reducer for multicomponent coatings), or solvent used at each point of application, including exempt compounds;
 - (4) The VOC content as applied in each coating, or solvent;
 - (5) The date for each application for coating, or solvent;
 - (6) The amount of surface preparation, clean-up, or wash-up solvent (including exempt compounds) used and the VOC content of each; and
 - (7) Oven temperature, if applicable.
- d. At the end of each month, the permittee shall calculate source-wide VOC emissions according to Section D, and every month, a new 12-month rolling total for VOC emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]

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

- e. At the end of each month, the permittee shall calculate VOC emissions for EU 02 according to Section D, and every month, a new 12-month rolling total for VOC emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

- a. The permittee shall submit a copy of the inspection and repair log for those times when corrective actions are required due to an opacity exceedance and/or records of any U.S. EPA Reference Method 9 opacity observations as noted in **4. Specific Monitoring Requirements (a)**. Copies of these records shall be submitted as a part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]
- b. The permittee shall report the number of gallons of each coating, solvent and clean-up or wash solvent applied, the amount of VOC's contained in the coating, solvent and clean-up or wash solvent, and the source wide monthly and 12 month rolling total VOC emissions as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 03 (11) Haul Roads****Description:**

This emission point includes various paved and unpaved roads within the plant boundaries used to transport equipment, material, personnel, etc.

Control Device: None

Construction Commenced: 1984

APPLICABLE REGULATIONS:

401 KAR 63:010. *Fugitive Emissions*

1. Operating Limitations:

- a. The permittee shall not cause, suffer, or allow any material to be handled, processed, transported, or stored; a building or its appurtenances to be constructed, altered, repaired, or demolished, or a road to be used without taking reasonable precaution to prevent particulate matter from becoming airborne. Reasonable precautions shall include, as applicable: [401 KAR 63:010, Section 3(1)]
 - (1) Use, if possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land; [401 KAR 63:010, Section 3(1)(a)]
 - (2) Application and maintenance of asphalt, oil, water, or suitable chemicals on roads, materials stockpiles, and other surfaces that can create airborne dusts; [401 KAR 63:010, Section 3(1)(b)]
 - (3) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials, or the use of water sprays or other measures to suppress the dust emissions during handling. Adequate containment methods shall be employed during sandblasting or other similar operations. [401 KAR 63:010, Section 3(1)(c)]
 - (4) Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne; [401 KAR 63:010, Section 3(1)(d)]
 - (5) The maintenance of paved roadways in a clean condition; or [401 KAR 63:010, Section 3(1)(e)]
 - (6) The prompt removal of earth or other material from a paved street to which earth or other material has been transported by trucking or earth moving equipment or erosion by water. [401 KAR 63:010, Section 3(1)(f)]
- b. If dust, fumes, gases, mist, odorous matter, vapors, or any combination thereof escape from a building or equipment in such a manner and amount as to cause a nuisance or to violate any administrative regulation, the secretary may order that the building or equipment in which processing, handling and storage are done be tightly closed and ventilated in such a way that all air and gases and air or air-borne material leaving the building or equipment are treated by removal or destruction of air contaminants before discharge to the open air. [401 KAR 63:010, Section 3(3)]

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

- c. At all times while in motion, open bodied trucks, operating outside company property, transporting materials likely to become airborne shall be covered. [401 KAR 63:010, Section 4(1)]
- d. A person shall not cause, suffer, or allow earth or other material being transported by truck or earth moving equipment to be deposited onto a paved street or roadway. [401 KAR 63:010, Section 4(3)]

2. Emission Limitations:

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

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

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

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

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain a log of the reasonable precautions taken to prevent particulate matter from becoming airborne, on a daily basis. Notation of the operating status, down-time, or relevant weather conditions are acceptable for entry to the log. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain a log of the following: [401 KAR 52:030, Section 10]
 - (1) Any Reference Method 22 performed and field records identified in Reference Method 22.
 - (2) Any corrective action taken and the results.

6. Specific Reporting Requirements:

Refer to Section F.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 04 (14) Parts Washers (9)****Description:**

Cleaning of metal parts to remove soils. Coated pipes are cleaned with mineral spirits.

Control Device: None

Construction Commenced: 2005

APPLICABLE REGULATIONS:

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

1. Operating Limitations:

The following operating limitations apply to the parts washers. [401 KAR 59:185, Section 4]

- a. The solvent vapor pressure shall not exceed one (1.0) mm Hg (0.019 psi) measured at 20° C (68 °F) during cold cleaning operation. [401 KAR 59:185, Section 4(3)]
- b. 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)]
- c. 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. [401 KAR 59:185, Section 4(1)(b)]
- d. The permittee shall comply with the following operating requirements and affix a permanent, conspicuous label to the cleaner, summarizing the following operating requirements shall be installed on or near the cleaner; [401 KAR 59:185, Section 4(1)(c)]
 - (1) 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.
 - (2) The degreaser cover shall be closed if not handling parts in the cleaner.
 - (3) Cleaned parts shall be drained for a minimum of fifteen (15) seconds, or until dripping ceases, whichever is longer.
 - (4) The flushing of parts with a flexible hose or other flushing device shall be performed only within the freeboard area of the parts washers. 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 parts washers.
 - (5) Work area fans shall be positioned so that air is not directed across the opening of the parts washers.
 - (6) 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.
 - (7) The parts washers 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

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

- leaks, tears, or cracks.
- (8) 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
- e. 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)]
- f. 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)
 - (2) Water cover, solvent shall be insoluble in and heavier than water; or
 - (3) Other systems of equivalent control, such as a refrigerated chiller or carbon adsorption.

2. Emission Limitations:

Refer to Section D for the source-wide VOC emission limitations.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. The permittee shall monitor the amount of solvent added to the cleaner, in gallon, on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall monitor the 12-month rolling total VOC emissions monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The following records shall be maintained for a minimum of five (5) years that include the following information for each solvent purchase: [401 KAR 59:185, Section 4(4)]
 - (1) The name and address of the solvent supplier;
 - (2) The date of the purchase;
 - (3) The type of solvent; and
 - (4) The vapor pressure of the solvent measured in mm Hg at 20°C (68°F).
- b. The permittee shall maintain monthly records of all materials used containing VOC, including the product type, amount used and the weight percentages for VOC. [401 KAR 52:030, Section 10]
- c. At the end of each month, the permittee shall calculate VOC emissions according to Section D, and every month, a new 12-month rolling total for VOC emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]

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

6. Specific Reporting Requirements:

The permittee shall report the amount of solvent added to the cleaner, in gallon, on a monthly basis. [401 KAR 52:030, Section 10]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 05 (15) Cooling Towers (2)**

Description: 2 Cooling Towers

Construction Date: 1989

APPLICABLE REGULATIONS:

401 KAR 59:010, *New process operations*

1. Operating Limitations:

No chromium-containing water treatment chemicals shall be used in the industrial process cooling towers. [401 KAR 52:030, Section 10]

2. Emission Limitations:

- a. No person shall cause, suffer, allow, or permit any continuous emission into the open air from a control 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** and 5. **Specific Recordkeeping Requirements** for opacity compliance demonstration.

- b. No person shall cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 lb/hr. [401 KAR 59:010, Section 3(2)]

Compliance Demonstration Method:

The source is assumed to be in compliance when the cooling towers are properly maintained. Refer to 4. **Specific Monitoring Requirements** and 5. **Specific Recordkeeping Requirements**.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

The permittee shall perform a qualitative visual observation of the opacity of emissions at each stack no less than weekly while the affected facility is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]

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

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain a log of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements (a)** including the date, time, initials of observer, whether any emissions were observed (yes/no), and any U.S. EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain the chemicals (MSDS) for any water treatment chemical used in the cooling towers. [401 KAR 52:030, Section 10]
- c. At the end of each month, the permittee shall calculate VOC emissions according to Section D, and every month, a new 12-month rolling total for VOC emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

- a. Any water treatment chemical that is used in the cooling tower and is later found to contain chromium shall be reported to the Division within 3 days of the date of discovery. [401 KAR 52:030, Section 10]
- b. Refer to Section F.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 06 (16) Gasoline Tank and Dispenser**

Description: 1,500 gallons of Gasoline stored. Maximum though put 50,000 gallons a year

Construction Date: 2005

APPLICABLE REGULATIONS:

401 KAR 63:002, Section (2)(4)(ddddd) 40 C.F.R. 63.11110 through 63.11132, Tables 1 through 3 (Subpart CCCCCC), *National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities*

1. Operating Limitations:

If the source's GDF has a monthly throughput of less than 10,000 gallons of gasoline, then the permittee shall comply with the requirements in 40 CFR 63.11116. [40 CFR 63.11111(b)]

Compliance Demonstration Method:

- a) The permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following: [40 CFR 63.11116(a)]
 - (1) Minimize gasoline spills;
 - (2) Clean up spills as expeditiously as practicable;
 - (3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
 - (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.
- b) The permittee shall comply with the requirements of this subpart by the applicable dates specified in 40 CFR 63.11113. [40 CFR 63.11116(c)]

2. Emission Limitations:

Refer to Section D for source-wide emission limitations.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

The permittee shall monitor the monthly throughput of gasoline. See subsection 5. **Specific Recordkeeping Requirements.** [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a) The permittee is not required to submit notifications or reports as specified in 40 CFR 63.11125, 40 CFR 63.11126 or 40 CFR Part 63 Subpart A, but the permittee shall have records available within 24 hours of a request by the Division to document the source's gasoline throughput. [40 CFR 63.11116(b)]

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

- b) The permittee shall, upon request by the Administrator, demonstrate that their monthly throughput is less than the 10,000-gallon or the 100,000-gallon threshold level, as applicable. Records required under this paragraph shall be kept for a period of 5 years. [40 CFR 63.11111(e)]

6. Specific Reporting Requirements:

Refer to **5. Specific Recordkeeping Requirements.**

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 07 One (1) Natural Gas Fired Emergency Spark Ignition (SI) Reciprocating Internal Combustion Engines (RICE)****Description:**

Power Output Rated Capacity: 20 kW

Model year: 2010

Construction Date: 2010

APPLICABLE REGULATIONS:

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

401 KAR 60:005, Section 2(2)(eeee) 40 C.F.R. 60.4230 through 60.4248, Tables 1 through 4 (Subpart JJJJ), *Standards of Performance for Stationary Spark Ignition Internal Combustion Engines*

1. Operating Limitations:

- a. The permittee must operate and maintain the generator to achieve the emission standards as required in 40 CFR 60.4233 over the entire life of the engine. [40 CFR 60.4243]
- b. The permittee must operate the generator according to the requirements in 40 CFR 60.4243(d)(1) through (3). In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 60.4243 (d)(1) through (3), is prohibited. If you do not operate the engine according to the requirements in 40 CFR 60.4243 (d)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines. [40 CFR 60.4243(d)]
 - (1) There is no time limit on the use of the generator in emergency situations. [40 CFR 60.4243(d)(1)]
 - (2) The permittee must operate the generator for the purpose specified in 40 CFR 60.4243(d)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 60.4243(d)(3) counts as part of the 100 hours per calendar year allowed. [40 CFR 60.4243(d)(2)]
 - i. Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year. [40 CFR 60.4243(d)(2)(i)]

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

- (3) The permittee must operate the generator in non-emergency situations for a maximum of 50 hours per calendar year. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 60.4242(d)(2). Except as provided for in 40 CFR 60.4243(d)(3)(i), the 50 hours per year of non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 60.4243(d)(3)]
- c. The permittee must meet the requirements of 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR 60 Subpart JJJJ. No further requirements apply under 40 CFR 63. [40 CFR 63.6590(c)]
- d. It is expected that air-to-fuel ratio controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times. [40 CFR 60.4243(g)]

2. Emission Limitations:

- a. The permittee shall comply with the emission standards in Table 1 to this subpart for their stationary SI ICE. [40 CFR 60.4233(d)]

NO _x	CO	VOC
10 g/HP-hr	387 g/HP-hr	N/A

Compliance Demonstration Method:

The permittee shall demonstrate compliance by purchasing an engine certified according to procedures specified in 40 CFR 60, Subpart JJJJ, and operating and maintaining the engines and control devices according to the manufacturer's emission-related written instructions, and keeping records of conducted maintenance. [40 CFR 60.4243(b)(1) & (2)]

- b. The permittee must operate and maintain this engine to achieve the required emission limitations over the entire life of the engine [40 CFR 60.4234].
- c. Refer to Section D for the source-wide VOC emission limitations.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. If the emergency stationary SI internal combustion engine does not meet the standards applicable to non-emergency engines, the permittee shall install a non-resettable hour meter upon startup of the emergency engine. [40 CFR 60.4237(c)]
- b. The permittee through the non-resettable hour meter shall monitor the hours of operation

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

of the emergency generators on an annual basis [401 KAR 52:030, Section 10].

- c. The permittee shall monitor the amount of natural gas combusted, in MMscf, on a monthly basis. [401 KAR 52:030, Section 10]
- d. The permittee shall monitor the 12-month rolling total VOC emissions monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee must keep records of the following information [40 CFR 60.4245(a)]:
 - (1) All notifications submitted to comply with this subpart and all documentation supporting any notification.
 - (2) Maintenance conducted on the engine.
 - (3) Documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 1048, 1054, and 1060, as applicable.
- b. The permittee shall keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter (if the engine does not meet the standards applicable to non-emergency engines). [40 CFR 60.4245 (b)]
- c. The permittee must document how many hours are spent for non-emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. [40 CFR 60.4245 (b)]
- d. The permittee shall maintain records of the amount of natural gas combusted, in MMscf, on a monthly basis. [401 KAR 52:030, Section 10]
- e. At the end of each month, the permittee shall calculate VOC emissions according to Section D, and every month, a new 12-month rolling total for VOC emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

The permittee shall report the amount of natural gas burned (in MMscf) and the source wide monthly and 12 month rolling total VOC emissions as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 08****One Diesel Generator****Description:**

Data Center Backup
Rated Capacity: 40 kW (61.7 hp)
Model year: 2010
Fuel: Diesel
Construction Date: 2010

APPLICABLE REGULATIONS:

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

401 KAR 60:005, Section 2(2)(dddd), 40 C.F.R. 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 permittee must meet the requirements of 40 CFR part 63 by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines. No further requirements apply for such engines under 40 CFR part 63. [40 CFR 63.6590(c)(1)]
- b. The permittee shall use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel. [40 CFR 60.4207(b)]
- c. If the emergency stationary CI internal combustion engine does not meet the standards applicable to non-emergency engines, the permittee shall install a non-resettable hour meter prior to startup of the engine. [40 CFR 60.4209(a)]
- d. The permittee must do all of the following, except as permitted under 40 CFR 60.4211(g): [40 CFR 60.4211(a)]
 - (1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions; [40 CFR 60.4211(a)(1)]
 - (2) Change only those emission-related settings that are permitted by the manufacturer; and [40 CFR 60.4211(a)(2)]
 - (3) Meet the requirements of 40 CFR part 1068, as they apply. [40 CFR 60.4211(a)(3)]
- e. The permittee shall operate the emergency stationary ICE according to the requirements in 40 CFR 60.4211(f)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR 60, Subpart IIII, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 60.4211(f)(1) through (3), is prohibited. If the permittee

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

does not operate the engine according to the requirements in 40 CFR 60.4211(f)(1) through (3), the engine will not be considered an emergency engine under 40 CFR 60, Subpart IIII and must meet all requirements for non-emergency engines. [40 CFR 60.4211(f)]

- (1) There is no time limit on the use of emergency stationary ICE in emergency situations. [40 CFR 60.4211(f)(1)]
- (2) The permittee may operate your emergency stationary ICE for the purpose specified in 40 CFR 60.4211(f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 60.4211(f)(3) of this section counts as part of the 100 hours per calendar year allowed by 40 CFR 60.4211(f)(2). [40 CFR 60.4211(f)(2)]
 - i. Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year. [40 CFR 60.4211(f)(2)(i)]
- (3) Emergency ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 60.4211(f)(2). Except as provided in 40 CFR 60.4211(f)(3)(i), the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 60.4211(f)(3)]
 - i. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the conditions in 40 CFR 60.4211(f)(3)(i)(A) through (E) are met. [40 CFR 60.4211(f)(3)(i)]
- f. If the permittee does not install, configure, operate, and maintain the engine according to the manufacturer's emission-related written instructions, or the permittee changes emission-related settings in a way that is not permitted by the manufacturer, the permittee must demonstrate compliance as follows: [40 CFR 60.4211(g)]
 - (1) The permittee must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, if you do not install and configure the engine and control device according to the manufacturer's emission-related written instructions, or you change the emission-related settings in a way that is not permitted by the manufacturer, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of such action. [40 CFR 60.4211(g)(1)]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**2. Emission Limitations:**

- a. The permittee shall comply with the emission standards for new nonroad CI engines in 40 CFR 60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE. [40 CFR 60.4205(b)]

Compliance Demonstration Method:

The permittee shall comply by purchasing an engine certified to the emission standards in 40 CFR 60.4205 (b) for the same model year and NFPA nameplate engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in 40 CFR 60.4211(g). [40 CFR 60.4211 (c)]

- b. The permittee must operate and maintain stationary CI ICE that achieve the emission standards as required in 40 CFR 60.4205 over the entire life of the engine. [40 CFR 60.4206]
- c. Refer to Section D for source-wide VOC emission limitations.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. The permittee shall monitor the amount of diesel fuel combusted, in gallon, on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall monitor the 12-month rolling total VOC emissions monthly. [401 KAR 52:030, Section 10]
- c. Refer to **1. Operating Limitations (e)**.

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of the amount of diesel fuel combusted, in gallon, on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The permittee must record the time of operation of the engine and the reason the engine was in operation during that time. [40 CFR 60.4214(b)]
- c. At the end of each month, the permittee shall calculate VOC emissions according to Section D, and every month, a new 12-month rolling total for VOC emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

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

The permittee shall report the source wide monthly and 12 month rolling total VOC emissions as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]

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. Hydraulic oil tank	None
2. Lubricating oil tanks	None
3. Paint sticks for marking coils/paint cans	None
4. Torch cutting of steel	401 KAR 59:010 401 KAR 63:020
5. Kerosene degreasing	None
6. Waste lube oil tank	None
7. Spaceheaters (Natural Gas/Propane)	401 KAR 63:020
8. Kerosene storage tanks	None
9. Water heaters	None
10. Fabrication shop	401 KAR 59:010
11. Mobile welding/cutting	401 KAR 59:010
12. Space heaters (electric)	None
13. Electric resistance welding (pipe mills)	401 KAR 59:010
14. Maintenance/welding/grinding/sanding/painting	401 KAR 59:010
15. Oil storage tanks	None
16. Pipe reamers	None
17. Pipe handling	401 KAR 63:010
18. Maintenance Shop	401 KAR 63:010
19. Diesel Tank	None

SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)

20. Abrasive Blasting	401 KAR 59:010
21. Abrasive Removal	401 KAR 59:010
22. Phosphoric-based Acid Wash Solution	None
23. Powder Coating of Pipes	401 KAR 59:010
24. Pipe Stencil Printing	401 KAR 63:020
25. 2 Cooling Towers	401 KAR 59:010
26. 5 Pre-Heat Electric Induction Coils	None
27. 8 Powder Coating Electric Induction Coils	None
28. Pipe Threading Operation	None
29. Accumulated Welding Operation	401 KAR 59:010 401 KAR 63:020
30. Quench Process for Heated Pipe	None

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. VOC emissions, 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.
 - a. Source-wide emissions of VOC shall not exceed 90 tons during any consecutive 12-month period. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

$$\text{Monthly VOC Emissions} = \sum_{i=1}^n M_i \rho_i$$

Where;

- ρ = weight percent of VOC in each solvent containing material less water and/or exempt solvent used during the month, (lbs/lb).
- i = individual solvent containing material (i.e. primer, enamel and thinner, etc.)
- n = total number of solvent containing materials used
- M = pounds of solvent containing material “i” used

Source-wide VOC emissions = \sum [VOC emissions from coating processes] + \sum [VOC emissions from Insignificant Activities] + \sum [VOC emissions from other activities]

- b. Compliance with annual limits is based on a rolling 12-month total. Emissions shall be calculated on a monthly basis and shall be added to previous eleven months emissions to get the total actual emissions for each consecutive 12-month period.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

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

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b-IV-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place (as defined in this permit), and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five (5) years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030, Section 3(1)(f)1a, and Section 1a-7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
3. In accordance with the requirements of 401 KAR 52:030, Section 3(1)f, the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030, Section 22. If continuous

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

emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.

7. In accordance with the provisions of 401 KAR 50:055, Section 1, the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken shall be submitted to the Regional Office listed on the front of this permit. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement does not identify a specific time frame for reporting deviations, prompt reporting, as required by Sections 1b-V, 3 and 4 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26 shall be defined as follows:
 - a. For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
 - b. For emissions of any regulated air pollutant, excluding those listed in F.8.a., that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
 - c. All deviations from permit requirements, including those previously reported, shall be included in the semiannual report required by F.6.
9. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
 - a. Identification of each term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any

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

- applicable requirements will be demonstrated within the timeframes specified in the permit.
- f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, Florence Regional Office, 8020 Veterans Memorial Drive, Suite 110, Florence, KY 41402.
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-25-013).

5. Testing Requirements

SECTION G - GENERAL PROVISIONS (CONTINUED)

- 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

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

7. Emergency Provisions

- a. Pursuant to 401 KAR 52:030, Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - (1) An emergency occurred and the permittee can identify the cause of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - (4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
 - (5) Notification of the Division does not relieve the source of any other local, state or

SECTION G - GENERAL PROVISIONS (CONTINUED)

federal notification requirements.

- b. Emergency conditions listed in General Provision G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030, Section 23(3)].
- c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030, Section 23(2)].

8. Ozone depleting substances

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

9. Risk Management Provisions

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

SECTION H - ALTERNATE OPERATING SCENARIOS

N/A

SECTION I - COMPLIANCE SCHEDULE

N/A