

**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: KELVION PRODUCTS LLC.
Mailing Address: 644 South Wind Drive
Burkesville, KY 42717

Source Name: KELVION PRODUCTS LLC.
Mailing Address: 644 South Wind Drive
Burkesville, KY 42717

Source Location: 644 South Wind Drive, Burkesville, KY

Permit ID: F-25-045
Agency Interest #: 37795
Activity ID: APE20250001
Review Type: Conditional Major, Operating
Source ID: 21-057-00012

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

County: Cumberland

**Application
Complete Date:** November 26, 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-25-045	Renewal	APE20250001	11/26/2025		Renewal Permit with name change

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 01 [EP01 – EP10 (1-10)] Surface Treatment Facilities

Description: Surface Treatment

EP01 - De-Rust Tank

Construction commenced: March1986

EP02 - Alkaline Cleaning Tank

Construction commenced: March1986
(Caustic cleaner)

EP03 - Alkaline Cleaning Tank

Construction commenced: March1986
(Rust preventive)

EP04 - Water Rinse Tank

Construction commenced: March1986

EP08 - Rust Inhibitor Tank

Construction commenced: March1986
(Rust preventive)

EP10 – Air Oil Fogger, GUARDAIR, Pneumatic oil gun, Model 83SG

Construction commenced: May2005
(Rust preventive)

APPLICABLE REGULATIONS:

None

1. Operating Limitations:

The permittee shall operate the emission units according to the manufacturer's specifications and recommendations. [401 KAR 52:030, Section 10]

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:

The permittee shall monitor the 12-month rolling total VOC emissions monthly. [401 KAR 52:030, Section 10]

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

5. Specific Recordkeeping Requirements:

- a. Monthly records shall be kept of all materials used containing VOC, including the product type, amount used and the weight percentages VOC. [401 KAR 52:030, Section 10]
- b. At the end of each month, VOC emission shall be calculated according to Section D, and every month, a new 12-month rolling total for VOC emission shall be calculated and recorded. [401 KAR 52:030, Section 10].

6. Specific Reporting Requirements:

The permittee shall report the source wide monthly and twelve (12) month rolling total VOC emission as part of the semiannual reporting as required in Section F (5) & (6).

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission unit 12 [EP12 & EP13] Spray Booth 33**

Description: Paint Spray Booth with electric drying oven for Coating Transmission Oil Coolers
HVLV Spray Applicator
Grieve B3-450 Electric Oven
Control Device: dry filters for particulate control
Control Efficiency: 90 percent
Construction date: December 14, 2006

Emission Unit 15 [EP15] Spray Booth 31

Description: Paint Spray Booth for Coating Transmission Oil Coolers
HVLV Spray Applicator
Controls Device: dry filters for particulate control
Control Efficiency: 90 percent
Construction date: June 2005

APPLICABLE REGULATIONS:

401 KAR 59:010, *New process operations*

STATE-ORIGIN REQUIREMENTS:

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

1. Operating Limitations:

The filters shall be in place and operated according to the manufacturer's specifications and recommendations at anytime a given spray booth is in use. [401 KAR 52:030, Section 10]

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)(a)]

Compliance Demonstration Method:

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

- 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:

Compliance with the mass emission standard is assumed based on the potential to emit for the emission unit when properly operating the control equipment. Refer to **4. Specific Monitoring Requirements** (c), **5. Specific Recordkeeping Requirements** (d), and 7.

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

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

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

Compliance Demonstration Method:

Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020.

3. Testing Requirements:

Performance testing using the reference methods specified in 401 KAR 50:015 shall be conducted if required by the Cabinet. [401 KAR 50:045, Section 1, and 401 KAR 59:005, Section 2(2)]

4. Specific Monitoring Requirements:

- 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 Reference Method 9. In lieu of determining the opacity using U.S. EPA Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]
- b. The permittee shall install, maintain and operate according to manufacturer's specifications a monitoring device (differential pressure gauges or manometers) to determine the pressure drop across the dry filters once a day during the operation of the spray booth. A permanent label displaying the operating range established for each collector shall be posted next to the selected instrument. [401 KAR 52:030, Section 10]
- c. The permittee shall monitor the 12-month rolling total VOC and HAPs 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** 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]

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

- b. The permittee shall maintain a log of the pressure drop readings across the filters, including the date, and dates of filter replacements. For any booth that is not in operation on a given date, this fact should also be noted. . [401 KAR 52:030, Section 10]
- c. The permittee shall keep manufacturer's filter specifications on site. [401 KAR 52:030, Section 10]
- d. Monthly records shall be kept of all materials used containing VOC and HAP, including the product type, amount used and the weight percentages VOC and all individual HAPs. [401 KAR 52:030, Section 10]
- e. At the end of each month, VOC and HAP emissions shall be calculated per Section D of this permit, and every month, a new 12-month rolling total for VOC and HAP 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 source wide monthly and 12 month rolling total VOC and HAPs 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 16 TIG Welding Stations****Description:**

Corrective welding using E70S (or similar) welding rod

Construction Date: January 1989

Controls: None, Vents inside building

Welding Wire Usage: 2000 pounds annually

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations

401 KAR 63:002, Section 2(4)(vvvvv) 40 C.F.R. 63.11514 through 63.11523, Tables 1 through 2 (Subpart XXXXXX), National Emission Standards for Hazardous Air Pollutants Area Source Standards for Nine Metal Fabrication and Finishing Source Categories

1. Operating Limitations:

- a. The permittee must comply with the requirements in 40 CFR 63.11516 (f)(1) and (2) for each welding operation that uses materials that contain MFHAP, as defined in 40 CFR 63.11522, "What definitions apply to this subpart?", or has the potential to emit MFHAP. If the welding affected source uses 2,000 pounds or more per year of welding rod containing one or more MFHAP (calculated on a rolling 12-month basis), the permittee must demonstrate that management practices or fume control measures are being implemented by complying with the requirements in 40 CFR 63.11516 (f)(3) through (8). The requirements in 40 CFR 63.11516 (f)(1) through (8) do not apply when welding operations are being performed that do not use any materials containing MFHAP or do not have the potential to emit MFHAP. [40 CFR 63.11516(f)]
- b. The permittee shall operate all equipment, capture, and control devices associated with welding operations according to the manufacturer's instructions. The permittee shall demonstrate compliance with this requirement by maintaining a record of the manufacturer's specifications for any capture and control devices as specified by the requirements in 40 CFR 63.11519(c)(4), "Notification, recordkeeping, and reporting requirements. [40 CFR 63.11516(f)(1)]
- c. The permittee shall implement one or more of the management practices specified below to minimize emissions of MFHAP, as practicable, while maintaining the required welding quality through the application of sound engineering judgment. [40 CFR 63.11516(f)(2)]
 - 1) Use welding processes with reduced fume generation capabilities (e.g., gas metal arc welding (GMAW) — also called metal inert gas welding (MIG)); [40 CFR 63.11516(f)(2)(i)]
 - 2) Use welding process variations (e.g., pulsed current GMAW), which can reduce fume generation rates; [40 CFR 63.11516(f)(2)(ii)]
 - 3) Use welding filler metals, shielding gases, carrier gases, or other process materials which are capable of reduced welding fume generation; [40 CFR 63.11516(f)(2)(iii)]
 - 4) Optimize welding process variables (e.g., electrode diameter, voltage, amperage, welding angle, shield gas flow rate, travel speed) to reduce the amount of welding

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

- fume generated; and [40 CFR 63.11516(f)(2)(iv)]
- 5) Use a welding fume capture and control system, operated according to the manufacturer's specifications. [40 CFR 63.11516(f)(2)(v)]
- d. ***Tier 1 compliance requirements for welding.*** The permittee shall perform visual determinations of welding fugitive emissions as specified in 40 CFR 63.11517(b), "Monitoring requirements," at the primary vent, stack, exit, or opening from the building containing the welding operations. You must keep a record of all visual determinations of fugitive emissions along with any corrective action taken in accordance with the requirements in 40 CFR 63.11519(c)(2), "Notification, recordkeeping, and reporting requirements." [40 CFR 63.11516(f)(3)]
- e. Requirements ***upon initial detection of visible emissions from welding.*** If visible fugitive emissions are detected during a visual determination, the permittee shall perform the permittee shall comply with the requirements below. [40 CFR 63.11516(f)(4)]
- 1) Perform corrective actions that include, but are not limited to, inspection of welding fume sources, and evaluation of the proper operation and effectiveness of the management practices or fume control measures implemented in accordance with paragraph (f)(2) of this section. After completing such corrective actions, the permittee shall perform a follow-up inspection for visible fugitive emissions in accordance with 40 CFR 63.11517(a), "Monitoring Requirements," at the primary vent, stack, exit, or opening from the building containing the welding operations. [40 CFR 63.11516(f)(4)(i)]
- 2) Report all instances where visible emissions are detected, along with any corrective action taken and the results of subsequent follow-up inspections for visible emissions, and submit with your annual certification and compliance report as required by CFR 63.11519(b)(5), "Notification, recordkeeping, and reporting requirements." [40 CFR 63.11516(f)(4)(ii)]
- f. ***Tier 2 requirements upon subsequent detection of visible emissions.*** If visible fugitive emissions are detected more than once during any consecutive 12-month period, (notwithstanding the results of any follow-up inspections), the permittee shall comply with the following: [40 CFR 63.11516(f)(5)]
- 1) Within 24 hours of the end of the visual determination of fugitive emissions in which visible fugitive emissions were detected, the permittee shall conduct a visual determination of emissions opacity, as specified in 40 CFR 63.11517(c), "Monitoring requirements," at the primary vent, stack, exit, or opening from the building containing the welding operations. [40 CFR 63.11516(f)(5)(i)]
- 2) In lieu of the requirement of paragraph (f)(3) of this section to perform visual determinations of fugitive emissions with EPA Method 22, the permittee shall perform visual determinations of emissions opacity in accordance with 40 CFR 63.11517(d), "Monitoring Requirements," using EPA Method 9, at the primary vent, stack, exit, or opening from the building containing the welding operations. [40 CFR 63.11516(f)(5)(ii)]
- 3) The permittee shall keep a record of each visual determination of emissions opacity performed in accordance with paragraphs (f)(5)(i) or (ii) of this section, along with

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

- any subsequent corrective action taken, in accordance with the requirements in 40 CFR 63.11519(c)(3), "Notification, recordkeeping, and reporting requirements." [40 CFR 63.11516(f)(5)(iii)]
- 4) The permittee shall report the results of all visual determinations of emissions opacity performed in accordance with paragraphs (f)(5)(i) or (ii) of this section, along with any subsequent corrective action taken, and submit with your annual certification and compliance report as required by 40 CFR 63.11519(b)(6), "Notification, recordkeeping, and reporting requirements." [40 CFR 63.11516(f)(5)(iv)]
- g. ***Requirements for opacities less than or equal to 20 percent but greater than zero.*** For each visual determination of emissions opacity performed in accordance with paragraph (f)(5) of this section for which the average of the six-minute average opacities recorded is 20 percent or less but greater than zero, the permittee shall perform corrective actions, including inspection of all welding fume sources, and evaluation of the proper operation and effectiveness of the management practices or fume control measures implemented in accordance with paragraph (f)(2) of 40 CFR 63.11516. [40 CFR 63.11516(f)(6)]
- h. ***Tier 3 requirements for opacities exceeding 20 percent.*** For each visual determination of emissions opacity performed in accordance with paragraph (f)(5) of 40 CFR 63.11516 for which the average of the six-minute average opacities recorded exceeds 20 percent, the permittee shall comply with the requirements in 40 CFR 63.11516(f)(7)(i) through (v). [40 CFR 63.11516(f)(7)]
- 1) The permittee shall submit a report of exceedence of 20 percent opacity, along with your annual certification and compliance report, as specified in 40 CFR 63.11519(b)(8), "Notification, recordkeeping, and reporting requirements," and according to the requirements of 40 CFR 63.11519(b)(1), "Notification, recordkeeping, and reporting requirements." [40 CFR 63.11516(f)(7)(i)]
 - 2) Within 30 days of the opacity exceedence, the permittee must prepare and implement a Site-Specific Welding Emissions Management Plan, as specified in paragraph (f)(8) of this section. If the permittee has already prepared a Site-Specific Welding Emissions Management Plan in accordance with this paragraph, the permittee shall prepare and implement a revised Site-Specific Welding Emissions Management Plan within 30 days. [40 CFR 63.11516(f)(7)(ii)]
 - 3) During the preparation (or revision) of the Site-Specific Welding Emissions Management Plan, the permittee shall continue to perform visual determinations of emissions opacity, beginning on a daily schedule as specified in 40 CFR 63.11517(d), "Monitoring Requirements," using EPA Method 9, at the primary vent, stack, exit, or opening from the building containing the welding operations. [40 CFR 63.11516(f)(7)(iii)]
 - 4) The permittee shall maintain records of daily visual determinations of emissions opacity performed in accordance with paragraph (f)(7)(iii) of this section, during preparation of the Site-Specific Welding Emissions Management Plan, in accordance with the requirements in 40 CFR 63.11519(b)(9), "Notification, recordkeeping, and reporting requirements." [40 CFR 63.11516(f)(7)(iv)]

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- 5) The permittee shall include these records in your annual certification and compliance report, according to the requirements of 40 CFR 63.11519(b)(1), "Notification, recordkeeping, and reporting requirements." [40 CFR 63.11516(f)(7)(v)]
- j. ***Site-Specific Welding Emissions Management Plan.*** The Site-Specific Welding Emissions Management Plan must comply with the requirements below: [40 CFR 63.11516(f)(8)]
- 1) Site-Specific Welding Emissions Management Plan must contain the information in 40 CFR 63.11516(f)(8)(i)(A) through (F). [40 CFR 63.11516(f)(8)(i)]
 - A. Company name and address; [40 CFR 63.11516(f)(8)(i)(A)]
 - B. A list and description of all welding operations which currently comprise the welding affected source; [40 CFR 63.11516(f)(8)(i)(B)]
 - C. A description of all management practices and/or fume control methods in place at the time of the opacity exceedence; [40 CFR 63.11516(f)(8)(i)(C)]
 - D. A list and description of all management practices and/or fume control methods currently employed for the welding affected source; [40 CFR 63.11516(f)(8)(i)(D)]
 - E. A description of additional management practices and/or fume control methods to be implemented pursuant to paragraph (f)(7)(ii) of this section, and the projected date of implementation; and [40 CFR 63.11516(f)(8)(i)(E)]
 - F. Any revisions to a Site-Specific Welding Emissions Management Plan must contain copies of all previous plan entries, pursuant to 40 CFR 63.11516(f)(8)(i)(D) and (E). [40 CFR 63.11516(f)(8)(i)(F)]
 - 2) The Site-Specific Welding Emissions Management Plan must be updated annually to contain current information, as required by paragraphs (f)(8)(i)(A) through (C) of this section, and submitted with your annual certification and compliance report, according to the requirements of 40 CFR 63.11519(b)(1), "Notification, recordkeeping, and reporting requirements." [40 CFR 63.11516(f)(8)(ii)]
 - 3) The permittee shall maintain a copy of the current Site-Specific Welding Emissions Management Plan in your records in a readily-accessible location for inspector review, in accordance with the requirements in 40 CFR 63.11519(c)(12), "Notification, recordkeeping, and reporting requirements." [40 CFR 63.11516(f)(8)(iii)]

2. Emission Limitations:

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

Compliance Demonstration Method:

Compliance is assumed through compliance with 40 CFR 63 Subpart XXXXXX requirements. Refer to 4. **Specific Monitoring Requirements** and 5. **Specific Recordkeeping Requirements**.

- 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)]

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

Compliance Demonstration Method:

The source is assumed to be in compliance when the units are properly operated and maintained.

- c. See Section D for the source-wide emission limitations.

3. Testing Requirements:

Performance testing using the reference methods specified in 401 KAR 50:015 shall be conducted if required by the Cabinet. [401 KAR 50:045, Section 1, and 401 KAR 59:005, Section 2(2)]

4. Specific Monitoring Requirements:

- a. ***Visual determination of fugitive emissions, general.*** Visual determination of fugitive emissions must be performed according to the procedures of EPA Method 22, of 40 CFR part 60, Appendix A-7. The permittee shall conduct the EPA Method 22 test while the affected source is operating under normal conditions. The duration of each EPA Method 22 test must be at least 15 minutes, and visible emissions will be considered to be present if they are detected for more than six minutes of the fifteen minute period. [40 CFR 63.11517(a)]
- b. ***Visual determination of fugitive emissions, graduated schedule.*** Visual determinations of fugitive emissions must be performed in accordance with paragraph (a) of this section and according to the schedule in paragraphs (b)(1) through (4) of this section. [40 CFR 63.11517(b)(1-4)]
 - 1) ***Daily Method 22 Testing.*** Perform visual determination of fugitive emissions once per day, on each day the process is in operation, during operation of the process. [40 CFR 63.11517(b)(1)]
 - 2) ***Weekly Method 22 Testing.*** If no visible fugitive emissions are detected in consecutive daily EPA Method 22 tests, performed in accordance with 40 CFR 63.11517(b)(1) for 10 days of work day operation of the process, the permittee may decrease the frequency of EPA Method 22 testing to once every five days of operation of the process (one calendar week). If visible fugitive emissions are detected during these tests, the permittee must resume EPA Method 22 testing of that operation once per day during each day that the process is in operation, in accordance with 40 CFR 63.11517(b)(1). [40 CFR 63.11517(b)(2)]
 - 3) ***Monthly Method 22 Testing.*** If no visible fugitive emissions are detected in four consecutive weekly EPA Method 22 tests performed in accordance with 40 CFR 63.11517(b)(2), the permittee may decrease the frequency of EPA Method 22 testing to once per 21 days of operation of the process (one calendar month). If visible fugitive emissions are detected during these tests, the permittee must resume weekly EPA Method 22 in accordance with 40 CFR 63.11517(b)(2). [40 CFR 63.11517(b)(3)]
 - 4) ***Quarterly Method 22 Testing.*** If no visible fugitive emissions are detected in three consecutive monthly EPA Method 22 tests performed in accordance with 40 CFR 63.11517(b)(3), the permittee may decrease the frequency of EPA Method 22 testing to once per 60 days of operation of the process (3 calendar months). If visible fugitive

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

emissions are detected during these tests, the permittee must resume monthly EPA Method 22 in accordance with 40 CFR 63.11517 (b)(3). [40 CFR 63.11517(b)(4)]

- c. ***Visual determination of emissions opacity for welding Tier 2 or 3, general.*** Visual determination of emissions opacity must be performed in accordance with the procedures of EPA Method 9, of 40 CFR part 60, Appendix A-4, and while the affected source is operating under normal conditions. The duration of the EPA Method 9 test shall be thirty minutes. [40 CFR 63.11517(c)]
- d. ***Visual determination of emissions opacity for welding Tier 2 or 3, graduated schedule.*** The permittee must perform visual determination of emissions opacity in accordance with 40 CFR 63.11517(c) and according to the schedule in n 40 CFR 63.11517(d)(1) through (5). [40 CFR 63.11517(d)]
 - 1) ***Daily Method 9 testing for welding, Tier 2 or 3.*** Perform visual determination of emissions opacity once per day during each day that the process is in operation. [40 CFR 63.11517(d)(1)]
 - 2) ***Weekly Method 9 testing for welding, Tier 2 or 3.*** If the average of the six minute opacities recorded during any of the daily consecutive EPA Method 9 tests performed in accordance with 40 CFR 63.11517(d)(1) does not exceed 20 percent for 10 days of operation of the process, the permittee may decrease the frequency of EPA Method 9 testing to once per five days of consecutive work day operation. If opacity greater than 20 percent is detected during any of these tests, the permittee must resume testing every day of operation of the process according to the requirements of 40 CFR 63.11517(d)(1). [40 CFR 63.11517(d)(2)]
 - 3) ***Monthly Method 9 testing for welding Tier 2 or 3.*** If the average of the six minute opacities recorded during any of the consecutive weekly EPA Method 9 tests performed in accordance with 40 CFR 63.11517(d)(2) does not exceed 20 percent for four consecutive weekly tests, the permittee may decrease the frequency of EPA Method 9 testing to once per every 21 days of operation of the process. If visible emissions opacity greater than 20 percent is detected during any monthly test, the permittee must resume testing every five days of operation of the process according to the requirements of 40 CFR 63.11517(d)(2). [40 CFR 63.11517(d)(3)]
 - 4) ***Quarterly Method 9 testing for welding Tier 2 or 3.*** If the average of the six minute opacities recorded during any of the consecutive weekly EPA Method 9 tests performed in accordance with 40 CFR 63.11517(d)(3) does not exceed 20 percent for three consecutive monthly tests, the permittee may decrease the frequency of EPA Method 9 testing to once per every 120 days of operation of the process. If visible emissions opacity greater than 20 percent is detected during any quarterly test, the permittee must resume testing every 21 days (month) of operation of the process according to the requirements of 40 CFR 63.11517(d)(3). [40 CFR 63.11517(d)(4)]
 - 5) ***Return to Method 22 testing for welding, Tier 2 or 3.*** If, after two consecutive months of testing, the average of the six minute opacities recorded during any of the monthly EPA Method 9 tests performed in accordance with 40 CFR 63.11517(d)(3) does not exceed 20 percent, the permittee may resume EPA Method 22 testing as in 40 CFR 63.11517(b)(3) and (4). In lieu of this, the permittee may elect to continue

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

performing EPA Method 9 tests in accordance with 40 CFR 63.11517(d)(3) and (4).
[40 CFR 63.11517(d)(5)]

- e. The permittee shall monitor and record the monthly amount of welding rod/wire containing MFHAP used in the welding operations and shall calculate the rolling 12-month total. The records shall demonstrate whether the welding operation remains subject to the requirements applicable to welding sources using 2,000 pounds or more per year of welding rod containing MFHAP. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. ***General compliance and applicability records.*** Maintain information specified in 40 CFR 63.11519(c)(1)(i) through (ii) for each affected source. [40 CFR 63.11519(c)(1)]
 - 1) Each notification and report that the permittee submitted to comply with 40 CFR 63 Subpart XXXXXX, and the documentation supporting each notification and report. [40 CFR 63.11519(c)(1)(i)]
 - 2) Records of the applicability determinations as in 40 CFR 63.11514(b)(1) through (5), “Am I subject to this subpart,” listing equipment included in its affected source, as well as any changes to that and on what date they occurred, must be maintained for 5 years and be made available for inspector review at any time. [40 CFR 63.11519(c)(1)(ii)]
- b. ***Visual determination of fugitive emissions records.*** The permittee shall maintain a record of the date and results of every visual determination of fugitive emissions; A description of any corrective action taken subsequent to the test; and the date and results of any follow-up visual determination of fugitive emissions performed after the corrective actions. [40 CFR 63.11519(c)(2)]
- c. ***Visual determination of emissions opacity records.*** Maintain a record of the information specified in 40 CFR 63.11519(c)(3)(i) through (iii) for each affected source which performs visual determination of emissions opacity in accordance with 40 CFR 63.11517(c), “Monitoring requirements.” [40 CFR 63.11519(c)(3)]
 - 1) The date of every visual determination of emissions opacity; and [40 CFR 63.11519(c)(3)(i)]
 - 2) The average of the six-minute opacities measured by the test; and [40 CFR 63.11519(c)(3)(ii)]
 - 3) A description of any corrective action taken subsequent to the test. [40 CFR 63.11519(c)(3)(iii)]
- d. The permittee shall maintain a record of the manufacturer's specifications for the control devices used to comply with 40 CFR 63.11516, “What are my standards and management practices?” [40 CFR 63.11519(c)(4)]
- e. ***Visual determination of emissions opacity performed during the preparation (or revision) of the Site-Specific Welding Emissions Management Plan.*** The permittee must maintain a record of each visual determination of emissions opacity performed during the preparation (or revision) of a Site-Specific Welding Emissions Management Plan, in accordance with 40 CFR 63.11516(f)(7)(iii), “Requirements for opacities exceeding 20

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

percent. [40 CFR 63.11519(c)(11)]

- f. ***Site-Specific Welding Emissions Management Plan.*** If the permittee has been required to prepare a plan in accordance with 40 CFR 63.11516(f)(7)(iii), “Site-Specific Welding Emissions Management Plan,” the permittee shall maintain a copy of your current Site-Specific Welding Emissions Management Plan in your records and it must be readily available for inspector review. [40 CFR 63.11519(c)(12)]
- g. ***Manufacturer's instructions.*** If the permittee complies with 40 CFR 63 Subpart XXXXXX by operating any equipment according to manufacturer's instruction, the permittee must keep these instructions readily available for inspector review. [40 CFR 63.11519(c)(13)]
- h. ***Welding Rod usage.*** If the permittee operates a new or existing welding affected source which is not required to comply with the requirements of 40 CFR 63.11516(f)(3) through (8) because it uses less than 2,000 pounds per year of welding rod (on a rolling 12-month basis), the permittee must maintain records demonstrating their welding rod usage on a rolling 12-month basis. [40 CFR 63.11519(c)(14)]
- i. The permittee’s records must be maintained according to the requirements in 40 CFR 63.11519(c)(14)(i) through (iii). [40 CFR 63.11519(c)(15)]
 - 1) The records must be in a form suitable and readily available for expeditious review, according to 40 CFR 63.10(b)(1), “General Provisions.” Where appropriate, the records may be maintained as electronic spreadsheets or as a database. [40 CFR 63.11519(c)(15)(i)]
 - 2) As specified in 40 CFR 63.10(b)(1), “General Provisions,” the permittee must keep each record for 5 years following the date of each occurrence, measurement, corrective action, report, or record. [40 CFR 63.11519(c)(15)(ii)]
 - 3) The permittee must keep each record on-site for at least 2 years after the date of each occurrence, measurement, corrective action, report, or record according to 40 CFR 63.10(b)(1), “General Provisions.” The permittee may keep the records off-site for the remaining 3 years. [40 CFR 63.11519(c)(15)(iii)]
- j. The permittee shall maintain monthly records of welding rod/wire usage and the rolling 12- month total amount of welding rod/wire used. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

- a. ***Annual certification and compliance reports.*** The permittee must prepare and submit annual certification and compliance reports for each affected source according to the requirements of 40 CFR 63.11519(b)(2) through (7). The annual certification and compliance reporting requirements may be satisfied by reports required under other parts of the CAA, as specified in 40 CFR 63.11519(b)(3). [40 CFR 63.11519(b)(1)]
- b. ***Visual determination of fugitive emissions requirements.*** The annual certification and compliance report must contain the information specified in 40 CFR 63.11519 (b)(5)(i) through (iii) for each affected source which performs visual determination of fugitive emissions in accordance with 40 CFR 63.11517(a), “Monitoring requirements.” [40 CFR

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

63.11519(b)(5)]

- 1) The date of every visual determination of fugitive emissions which resulted in detection of visible emissions; [40 CFR 63.11519(b)(5)(i)]
- 2) A description of the corrective actions taken subsequent to the test; and [40 CFR 63.11519(b)(5)(ii)]
- 3) The date and results of the follow-up visual determination of fugitive emissions performed after the corrective actions. [40 CFR 63.11519(b)(5)(iii)]

c. ***Visual determination of emissions opacity requirements.*** The annual certification and compliance report must contain the information specified in 40 CFR 63.11519 (b)(6)(i) through (iii) for each affected source which performs visual determination of emissions opacity in accordance with 40 CFR 63.11517(c), "Monitoring requirements." [40 CFR 63.11519(b)(6)]

- 1) The date of every visual determination of emissions opacity; [40 CFR 63.11519(b)(6)(i)]
- 2) The average of the six-minute opacities measured by the test; and [40 CFR 63.11519(b)(6)(ii)]
- 3) A description of any corrective action taken subsequent to the test. [40 CFR 63.11519(b)(6)(iii)]

d. ***Exceedances of 20 percent opacity for welding affected sources.*** As required by 40 CFR 63.11516(f)(7)(i), "Requirements for opacities exceeding 20 percent," the permittee must prepare an exceedance report whenever the average of the six-minute average opacities recorded during a visual determination of emissions opacity exceeds 20 percent. This report must be submitted along with the annual certification and compliance report according to the requirements in 40 CFR 63.11519(b)(1) and must contain the information in 40 CFR 63.11519(b)(8)(iii)(A) and (B) (sic). [40 CFR 63.11519(b)(8)]

- 1) The date on which the exceedance occurred; and [40 CFR 63.11519(b)(8)(A)]
- 2) The average of the six-minute average opacities recorded during the visual determination of emissions opacity. [40 CFR 63.11519(b)(8)(B)]

e. ***Site-specific Welding Emissions Management Plan reporting.*** The permittee must submit a copy of the records of daily visual determinations of emissions recorded in accordance with 40 CFR 63.11516(f)(7)(iv), "Tier 3 requirements for opacities exceeding 20 percent," and a copy of the Site-Specific Welding Emissions Management Plan and any subsequent revisions to the plan pursuant to 40 CFR 63.11516(f)(8), "Site-specific Welding Emission Management Plan," along with the annual certification and compliance report, according to the requirements in 40 CFR 63.11519(b)(1). [40 CFR 63.11519(b)(9)]

f. ***Dates.*** Unless the Administrator has approved or agreed to a different schedule for submission of reports under 40 CFR 63.10(a), "General Provisions," the permittee must prepare and submit each annual certification and compliance report according to the dates specified in 40 CFR 63.11519(b)(2)(i) through (iii). Note that the information reported for each of the months in the reporting period will be based on the last 12- months of data prior to the date of each monthly calculation. [40 CFR 63.11519(b)(2)]

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

- 1) The first annual certification and compliance report must cover the first annual reporting period which begins the day after the compliance date and ends on December 31. [40 CFR 63.11519(b)(2)(i)]
 - 2) Each subsequent annual certification and compliance report must cover the subsequent semiannual reporting period from January 1 through December 31. [40 CFR 63.11519(b)(2)(ii)]
 - 3) Each annual certification and compliance report must be prepared and submitted no later than January 31 and kept in a readily-accessible location for inspector review. If an exceedence has occurred during the year, each annual certification and compliance report must be submitted along with the exceedence reports, and postmarked or delivered no later than January 31. [40 CFR 63.11519(b)(2)(iii)]
- g. **General requirements.** The annual certification and compliance report must contain the information specified in 40 CFR 63.11519(b)(4)(i) through (iii), and the information specified in 40 CFR 63.11519(b)(5) through (7) that is applicable to each affected source. [40 CFR 63.11519(b)(4)]
- 1) Company name and address; [40 CFR 63.11519(b)(4)(i)]
 - 2) Statement by a responsible official with that official's name, title, and signature, certifying the truth, accuracy, and completeness of the content of the report; and [40 CFR 63.11519(b)(4)(ii)]
 - 3) Date of report and beginning and ending dates of the reporting period. The reporting period is the 12-month period ending on December 31. Note that the information reported for the 12 months in the reporting period will be based on the last 12 months of data prior to the date of each monthly calculation. [40 CFR 63.11519(b)(4)(iii)]

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. Miscellaneous metal working operations using water-based lubricants, including band saws, lathes, drill presses, milling, and copper tube cutting.	401 KAR 59:010
2. Silver brazing and soldering	None
3. Touch-up Spray Paint Booth (Spray cans)	401 KAR 59:010 401 KAR 63:020

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. VOC, HAPs, Particulate Matter, 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.
 - 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:

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

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 = Σ [VOC emissions from spray coating operations and surface treatment] + Σ [VOC emissions from Insignificant Activities, if applicable]

- b. Source-wide emissions of any single HAP shall not exceed nine tons during any consecutive 12-month period. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

$$\text{Monthly HAP Coating Emissions } HAP_j = \sum_{i=1}^n M_i \rho_i$$

Where:

- ρ = weight percent of HAP_j in material “i”, (lbs/lb).
- i = individual HAP containing material (i.e. primer, enamel and thinner, etc.)
- j = individual HAP emission (i.e. naphthalene, xylene, etc.)
- n = total number of solvent containing materials used containing single HAP_j
- M = pounds of solvent containing material “i” used

Source-wide HAP emissions = Σ [HAP emissions from spray painting operations] + Σ [HAP emissions from Insignificant Activities]

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

- c. Source-wide emissions of Combined HAPs shall not exceed 22.5 tons during any consecutive 12-month period. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

$$\text{Combined HAP Emissions per month} = \sum_{j=1}^m \text{HAP}_j$$

Where: j = individual HAP emission (i.e. xylene, etc.) per month
m = total number of single HAP emissions

- d. Compliance with annual limits is based on a rolling 12-month total. Emissions shall be calculated on a monthly basis from units in Section B and Section C 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].

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

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030, Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1, the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
1. 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.
2. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
 - a. Identification of each term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.

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

- e. For an emissions unit that was still under construction, or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
 - f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, Bowling Green Regional Office, 2642 Russellville Road, Bowling Green, KY 42101.
10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within 30 days of the date the Kentucky Emissions Inventory System (KYEIS) emissions survey is mailed to the permittee. If a KYEIS emissions survey is not mailed to the permittee, then the permittee shall comply with all other emissions reporting requirements in this permit.
11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - (1) The size and location of both the original and replacement units; and
 - (2) Any resulting change in emissions;
 - b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
 - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
 - d. The replacement unit shall comply with all applicable requirements; and
 - e. The source shall notify Regional office of all shutdowns and start-ups.
 - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
 - (1) Re-install the original unit and remove or dismantle the replacement unit; or
 - (2) Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS

2. 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.
- p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic

SECTION G - GENERAL PROVISIONS (CONTINUED)

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.

3. 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)].

4. 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.

5. Construction, Start-Up, and Initial Compliance Demonstration Requirements

No construction authorized by this permit (F-25-045).

SECTION G - GENERAL PROVISIONS (CONTINUED)**5. Testing Requirements**

- a. Pursuant to 401 KAR 50:045, Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.
- b. Pursuant to 401 KAR 50:045, Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.
- c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

6. Acid Rain Program Requirements

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.

SECTION G - GENERAL PROVISIONS (CONTINUED)

- (5) Notification of the Division does not relieve the source of any other local, state or federal notification requirements.
 - b. Emergency conditions listed in General Provision G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030, Section 23(3)].
 - c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030, Section 23(2)].
8. Ozone depleting substances
- a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - (1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - (2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - (3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - (5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
 - b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.
9. Risk Management Provisions
- a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to U.S. EPA using the RMP* eSubmit software.
 - b. If requested, submit additional relevant information to the Division or the U.S. EPA.

SECTION H - ALTERNATE OPERATING SCENARIOS

None

SECTION I - COMPLIANCE SCHEDULE

None