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:	**Kentucky Chrome Works, LLC**
Mailing Address:	**100 Bluegrass Avenue** **Horse Cave, KY 42749**
Source Name:	**Kentucky Chrome Works, LLC**
Mailing Address:	**100 Bluegrass Avenue** **Horse Cave, KY 42749**
Source Location:	**Same as above**
Permit ID:	**F-24-066**
Agency Interest #:	**108329**
Activity ID:	**APE20240001**
Review Type:	**Conditional Major, Operating**
Source ID:	**21-099-00018**
Regional Office:	**Bowling Green Regional Office** **2642 Russellville Road** **Bowling Green, KY 42101** **(270) 746-7475**
County:	**Hart**
Application Complete Date:	**November 5, 2024**
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-24-066	Renewal	APE20240001	11/5/2024		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 has been issued under the provisions of Kentucky Revised Statutes (KRS) Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Title V Permits.

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

Definitions: The following definitions apply to all abbreviations and variables used in this permit:

Cabinet	– Kentucky Energy and Environmental Cabinet
Division	– Kentucky Division for Air Quality
EP	– Emission Point
EU	– Emission Unit
HAP(s)	– Hazardous Air Pollutant(s)
KAR	– Kentucky Administrative Regulations
KYEIS	– Kentucky Emissions Inventory System
MMBtu/hr	– Million British Thermal Units per Hour
MSDS	– Material Safety Data Sheet
NESHAP	– National Emission Standards for Hazardous Air Pollutants
PM	– Particulate Matter
PM_{10}	– Particulate Matter equal to or smaller than 10 micrometers
$PM_{2.5}$	– Particulate Matter equal to or smaller than 2.5 micrometers
U.S. EPA	– United States Environmental Protection Agency

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

EP 40 York Shipley Steam Boiler

Description:

Model: York Shipley Model 560-SPH-175X-S150
Maximum Fuel Input: 7.382 MMBtu/hr
Fuel: Natural Gas
Construction Commenced: 2010
Control Equipment: None

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

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

1. **Operating Limitations:**
   During a startup period or shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 59:015, Section 7. [401 KAR 59:015, Section 7]
   a. The permittee shall comply with 401 KAR 50:055, Section 2(5); [401 KAR 59:015, Section 7(1)(a)]

   b. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility; [401 KAR 59:015, Section 7(1)(b)]

   c. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods; [401 KAR 59:015, Section 7(1)(c)]

   d. The actions, including duration of the startup period, of the permittee during startup and shutdown periods, shall be documented in signed, contemporaneous logs or other relevant evidence; [401 KAR 59:015, Section 7(1)(d)]

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

   Compliance Demonstration Method:
   Compliance shall be demonstrated according to **5. Specific Recordkeeping Requirements (c)**.

2. **Emission Limitations:**
   a. The permittee shall not cause emissions of particulate matter in excess of 0.56 lb/MMBtu actual heat input. [401 KAR 59:015, Section 4(1)(a)]

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

b. The permittee shall not cause emissions of particulate matter in excess of twenty (20) percent opacity, except: [401 KAR 59:015, Section 4(2)]
   i. A maximum of 40 percent opacity shall be allowed for a maximum of 6 consecutive minutes in any 60 minutes during fire box cleaning or soot blowing; and [401 KAR 59:015, Section 4(2)(b)]
   ii. For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 4(2)(c)]

c. The permittee shall not cause emissions of gases that contain sulfur dioxide in excess of 3.0 lb/MMBtu actual heat input. [401 KAR 59:015, Section 5(1)(a)(1)]

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

d. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants. [401 KAR 63:020, Section 3]

Compliance Demonstration Method:
The Cabinet determines that the source is in compliance with 401 KAR 63:020 based on the use of natural gas.

e. Refer to **SECTION D** for source-wide emission limitations. [To preclude 401 KAR 52:020]

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

4. Specific Monitoring Requirements:
a. The permittee shall monitor the following: [401 KAR 52:030, Section 10]
   i. The monthly and 12-month rolling natural gas usage.
   ii. The total hours of operation on a monthly basis.

b. The permittee shall calculate the monthly and 12-month rolling total emissions of VOC and $PM/PM_{10}/PM_{2.5}$ to ensure compliance with the source-wide emission limitations listed in **SECTION D**. [401 KAR 52:030, Section 10]

c. Refer to **SECTION F** for general monitoring requirements.

5. Specific Recordkeeping Requirements:
a. The permittee shall keep records of the following: [401 KAR 52:030, Section 10]
   i. The monthly and 12-month rolling total of natural gas usage.

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

ii. The total hours of operation on a monthly basis.

b. The permittee shall keep records of monthly and 12-month rolling emissions of VOC and PM/PM_{10}/$PM_{2.5}$ to ensure compliance with the source-wide emission limitations listed in **SECTION D**. [401 KAR 52:030, Section 10]

c. The permittee shall keep records of the manufacturer's recommended procedures for startup and shutdown, any instance in which the recommended procedures were not followed, and any corrective action taken. [401 KAR 52:030, Section 10]

d. Refer to **SECTION F** for general recordkeeping requirements.

6. Specific Reporting Requirements:
Refer to **SECTION F** for general reporting requirements.

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

Emission Group 1 – BUFFING & POLISHING: Buffing and Polishing of Wheels

Emission Unit 01 – Copper Buffing Processes

EP 01-04 Copper Manual Buffing
Description: A combination of eight (8) manual stations for copper plated wheels
Capacity: 1.8 lbs of buffing compound/hr
Construction Commenced: 1969
Control Equipment: Four (4) Donaldson manual baghouses DC1-4

EP 01-05 Copper Robotic Buffing
Description: Two (2) robots for processing copper plated wheels
Model: Fanuc System R-J2 Robot S-420i (2)
Capacity: 1.8 lbs of buffing compound/hr
Construction Commenced: 1969
Control Equipment: One (1) Donaldson manual baghouse DC5; replaced in 2021

Emission Unit 02 – Raw Polishing Processes

EP 02-22 Raw Manual Polishing
Description: A combination of 16 manual stations for raw cast wheels
Capacity: 1.8 lbs of buffing compound/hr
Construction Commenced: 2007
Control Equipment: Arrestall Dust Collector

EP 02-23 Raw Robotic Polishing
Decsription: Four (4) robots for processing raw cast wheels
Model: Fanuc System R-J2 Robot S-420i (4)
Capacity: 1.8 lbs of buffing compound/hr
Construction Commenced: 2007
Control Equipment: Arrestall Dust Collector

APPLICABLE REGULATIONS:
401 KAR 59:010, *New process operations*
401 KAR 61:020, *Existing process operations*

1. **Operating Limitations:**
   Refer to **7. Specific Control Equipment Operating Conditions**.

2. **Emission Limitations:**
   a. For EPs 02-22 and 02-23: 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)]

   b. For EPs 01-04 and 01-05: 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 forty (40) percent opacity. [401 KAR 61:020, Section 3(1)(a)]

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

Compliance Demonstration Method:
Refer to **4. Specific Monitoring Requirements (b)** and **5. Specific Recordkeeping Requirements (b)**.

c. For EPs 02-22 and 02-23: For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 lb/hr. [401 KAR 59:010, Section 3(2)]

d. For EPs 01-04 and 01-05: For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.58 lb/hr. [401 KAR 61:020, Section 3(2)]

Compliance Demonstration Method:
To demonstrate compliance with the particulate matter emission limitations specified in 401 KAR 59:010 and 401 KAR 61:020, the permittee shall monitor the amounts and types of process weight added to each emission unit. The process weight rate shall be determined by using the tons of material added to each emissions unit in a calendar month divided by the total hours the unit operated that month. The average particulate emissions shall be calculated as follows:

$$PE = \left(\frac{PW \times EF^{*}}{H}\right) \times (1 - CE)$$

Where:
PE = particulate emissions in lb/hr;
PW = process weight in tons/month;
EF = particulate emission factor in lb/tons of process weight;
* The particulate emission factor shall be the number determined from AP-42, MSDS, the most recent Division approved stack test, or other Division approved value.
H = total hours of operation in a month; and
CE = Control efficiency

e. Refer to **SECTION D** for source-wide emission limitations. [To preclude 401 KAR 52:020]

3. Testing Requirements:
Pursuant to 401 KAR 59:005, Section 2(2), 401 KAR 61:005, Section 2(2), and 401 KAR 50:045, Section 1, performance testing using the reference methods specified in 401 KAR 50:015 shall be conducted if required by the Cabinet.

4. Specific Monitoring Requirements:
a. The permittee shall monitor the following for each emission point: [401 KAR 52:030, Section 10]
   i. The monthly and 12-month rolling number of wheels buffed or polished.
   ii. The monthly and 12-month rolling process weight rate.
   iii. The monthly hours of operation on a monthly basis.
   iv. Pressure drop across each fabric filter on a weekly basis.

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

b. The permittee shall perform a qualitative visual observation of the opacity of emissions from the stack once per calendar week and a Reference Method 9 reading simultaneous with a qualitative visual observation once per calendar quarter while the affected facility is operating. If visible emissions from the stack are observed (not including condensed water in the plume), then the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 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]

c. The permittee shall monitor the monthly and 12-month rolling total emissions of $PM/PM_{10}/PM_{2.5}$ to ensure compliance with the source-wide emission limitations listed in **SECTION D**. [To preclude 401 KAR 52:020]

d. Refer to **SECTION F** for general monitoring requirements.

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of the following for each emission point: [401 KAR 52:030, Section 10]
   i. The monthly and 12-month rolling process weight rate.
   ii. The total hours of operation on a monthly basis.
   iii. Pressure drop across fabric filter on a weekly basis.

b. The permittee shall retain records of the qualitative visual observations required by **4. Specific Monitoring Requirements (b)**, including the date, time, initials of observer, whether any emissions were observed (yes/no), any Method 9 readings taken, and any corrective action taken including results due to observed emissions. [401 KAR 52:030, Section 10]

c. The permittee shall keep records of monthly and 12-month rolling emissions of $PM/PM_{10}/PM_{2.5}$ to ensure compliance with the source-wide emission limitations listed in **SECTION D**. [401 KAR 52:030, Section 10]

d. Refer to **SECTION F** for general recordkeeping requirements.

6. Specific Reporting Requirements:

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

7. Specific Control Equipment Operating Conditions:

a. The permittee shall install, operate, and maintain the associated control device(s) for each emission unit according to the manufacturer's instructions and during all times that the associated emission unit is operating. [To preclude 401 KAR 52:020]

b. The permittee shall maintain records of pressure drop readings monitored for the fabric filter and calibration records for the monitoring device. [401 KAR 52:030, Section 10]

c. Refer to **SECTION E** for general control equipment operating requirements.

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

Emission Group 2 – PAINT BOOTHS: Miscellaneous metal parts coating using manual and automatic spray booths.

EP 06 Manual Spray Booths #1 & #2 (Dual 3-Sided Booth Utilizing up to 4 Applicators)
Rated Capacity: 14 gal/hr per applicator
Construction Commenced: 1977
Control Equipment: Passive air flow filter

EP 07 Manual Spray Booths #3 & #4 (Dual 3-Sided Booth Utilizing up to 4 Applicators)
Rated Capacity: 14 gal/hr per applicator
Construction Commenced: 1977
Control Equipment: Passive air flow filter

EP 08 Manual Spray Booths #5 & #6 (Dual 3-Sided Booth Utilizing up to 4 Applicators)
Rated Capacity: 14 gal/hr per applicator
Construction Commenced: 1977
Control Equipment: Passive air flow filter

EP 09 Automatic Spray Booth (Single 3-Sided Booth Utilizing up to 2 Applicators)
Rated Capacity: 14 gal/hr per applicator
Construction Commenced: 1977; modified in 2017
Control Equipment: Passive air flow filter

EP 11 Manual Spray Booths #7 & #8 (Dual 3-Sided Booth Utilizing up to 4 Applicators)
Rated Capacity: 14 gal/hr per applicator
Construction Commenced: 1977
Control Equipment: Passive air flow filter

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

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 (b)** and **5. Specific Recordkeeping Requirements (b)**.

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

b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 lb/hr. [401 KAR 59:010, Section 3(2)]

Compliance Demonstration Method:
To demonstrate compliance with the particulate matter emission limitations specified in 401 KAR 59:010, the permittee shall monitor the amounts and types of process weight added to each emission unit. The process weight rate shall be determined by using the tons of material added to each emissions unit in a calendar month divided by the total hours the unit operated that month. The average particulate emissions shall be calculated as follows:

$$PE = \left(\frac{PW \times EF^{*}}{H}\right) \times (1 - CE)$$

Where:
PE = particulate emissions in lb/hr;
PW = process weight in tons/month;
EF = particulate emission factor in lb/tons of process weight;
* The particulate emission factor shall be the number determined from AP-42, MSDS, the most recent Division approved stack test, or other Division approved value.
H = total hours of operation in a month; and
CE = Control efficiency

c. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants. [401 KAR 63:020, Section 3]

Compliance Demonstration Method:
The Cabinet determines that the source is in compliance with 401 KAR 63:020 when operating control devices, based on the rate of emissions of airborne toxics determined by the Cabinet using information provided in the application and any supplemental information submitted by the source.

d. Refer to **SECTION D** for source-wide emission limitations. [To preclude 401 KAR 52:020]

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

4. Specific Monitoring Requirements:
a. The permittee shall monitor the following for each emission point: [401 KAR 52:030, Section 10]
   i. The monthly and 12-month rolling number of wheels painted.
   ii. The monthly and 12-month rolling process weight rate.
   iii. The total hours of operation on a monthly basis.

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

b. The permittee shall perform a qualitative visual observation of the opacity of emissions from the stack once per calendar week and a Reference Method 9 reading simultaneous with a qualitative visual observation once per calendar quarter while the affected facility is operating. If visible emissions from the stack are observed (not including condensed water in the plume), then the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 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]

c. The permittee shall calculate the monthly and 12-month rolling total emissions of VOC and PM/PM_{10}/$PM_{2.5}$ and HAP(s) to ensure compliance with the source-wide emission limitations listed in **SECTION D**. [401 KAR 52:030, Section 10]

d. The permittee shall visually inspect particulate filters once per shift and replace them as needed to ensure that the manufacturer's control efficiency is maintained. [401 KAR 52:030, Section 10]

e. Refer to **SECTION F** for general monitoring requirements.

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of the following for each emission point: [401 KAR 52:030, Section 10]
   i. The monthly and 12-month rolling wheels painted.
   ii. The monthly and 12-month rolling process weight rate.
   iii. The total hours of operation on a monthly basis.
   iv. The HAP and VOC content for all materials used.

b. The permittee shall retain records of the qualitative visual observations required by **4. Specific Monitoring Requirements (b)**, including the date, time, initials of observer, whether any emissions were observed (yes/no), any Method 9 readings taken, and any corrective action taken including results due to observed emissions. [401 KAR 52:030, Section 10]

c. The permittee shall keep records of monthly and 12-month rolling emissions of VOC and PM/PM_{10}/$PM_{2.5}$ and HAP(s) to ensure compliance with the source-wide emission limitations listed in **SECTION D**. [401 KAR 52:030, Section 10]

d. The permittee shall maintain MSDS for all materials used on site at all times. MSDS shall specify the VOC and HAP content of all the materials used. [401 KAR 52:030, Section 10]

e. The permittee shall keep records of the once per shift visual inspection of particulate filters. [401 KAR 52:030, Section 10]

f. Refer to **SECTION F** for general recordkeeping requirements.

6. Specific Reporting Requirements:

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

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

7. Specific Control Equipment Operating Conditions:

a. The permittee shall install, operate, and maintain the associated control device(s) for each emission unit according to the manufacturer's instructions and during all times that the associated emission unit is operating. [To preclude 401 KAR 52:020]

b. Refer to **SECTION E** for general control equipment operating requirements.

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

Emission Unit 46 – CHROME PLATING TANK:
This tank is part of the chrome plating line, which includes those tanks in Emission Group 3 as well. The maximum capacity of each of the tanks in the chrome plating line is 2.75 lb/hr. This tank is a decorative chromium electroplating tank using a chromic acid bath. 40 CFR 63, Subpart N is only applicable to EP 46-1.

Emission Unit	Emission Point	Description	Tank Capacity (gallons)	Emissions Control	Installation Date
EU 46	EP 46-1	Chrome Plate #17	1,200	Fume Suppressant	2010

APPLICABLE REGULATIONS:
401 KAR 59:010, *New Process Operations*
401 KAR 63:002, Section 2(4)(h), 40 C.F.R. 63.340 to 63.348, Table 1 (Subpart N), *National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks*

1. **Operating Limitations:**
   a. At all times, the permittee shall operate and maintain, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. [40 CFR 63.342(a)(1) and 63.342(f)(1)(i)]

      Compliance Demonstration Method:
      Refer to **5. Specific Recordkeeping Requirements (d)** and **6. Specific Reporting Requirements (b)**.

   b. The permittee shall correct malfunctions as soon as possible after the occurrence. [40 CFR 63.342(f)(1)(ii)]

      Compliance Demonstration Method:
      Refer to **5. Specific Recordkeeping Requirements (d)** and **6. Specific Reporting Requirements (a)** and **(b)**.

   c. Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.342(a)(1) and 63.342(f)(2)(i)]

      Compliance Demonstration Method:
      Refer to **5. Specific Recordkeeping Requirements (d)** and **(f)**.

   d. Based on the results of a determination made under 40 CFR 63.342(f)(2)(i), the Administrator may require that the permittee make changes to the operation and

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

maintenance plan required by 40 CFR 63.342(f)(3). Revisions may be required if the Administrator finds that the plan: [40 CFR 63.342(f)(2)(ii)]

i. Does not address a malfunction that has occurred; [40 CFR 63.342(f)(2)(ii)(A)]
ii. Fails to provide for the proper operation, the air pollution control techniques, or the control system and process monitoring equipment during a malfunction in a manner consistent with good air pollution control practices; or [40 CFR 63.342(f)(2)(ii)(B)]
iii. Does not provide adequate procedures for correcting malfunctioning process equipment, air pollution control techniques, or monitoring equipment as quickly as practicable. [40 CFR 63.342(f)(2)(ii)(C)]

Compliance Demonstration Method:
Refer to **5. Specific Recordkeeping Requirements (f)** and **5. Specific Reporting Requirements (a)**.

e. The permittee shall prepare an operation and maintenance plan. The plan, which is incorporated by reference into this permit, shall include the following elements: [40 CFR 63.342(f)(3)(i)]
   i. The plan shall specify the operation and maintenance criteria, the add-on air pollution control device (if such a device is used to comply with the emission limits), and the process and control system monitoring equipment and shall include a standardized checklist to document the operation and maintenance of this equipment; [40 CFR 63.342(f)(3)(i)(A)]
   ii. If an add-on control device or monitoring equipment is used to comply with 40 CFR 63, Subpart N, the plan shall incorporate the operation and maintenance practices for that device or monitoring equipment, as identified in 40 CFR 63.342 Table 1; [40 CFR 63.342(f)(3)(i)(B)]
   iii. If the specific equipment used is not identified in 40 CFR 63.342 Table 1, the plan shall incorporate proposed operation and maintenance practices. These proposed operation and maintenance practices shall be submitted for approval as part of the submittal required under 40 CFR 63.343(d); [40 CFR 63.342(f)(3)(i)(C)]
   iv. The plan shall specify procedures to ensure that equipment or process malfunctions due to poor maintenance or other preventable conditions do not occur; [40 CFR 63.342(f)(3)(i)(D)]
   v. The plan shall include a systematic procedures for identifying malfunctions of process equipment, add-on air pollution control devices, and process and control system monitoring equipment and for implementing corrective actions to address such malfunctions; and [40 CFR 63.342(f)(3)(i)(E)]
   vi. The plan shall include housekeeping procedures as specified in 40 CFR 63.342 Table 2. [40 CFR 63.342(f)(3)(i)(F)]

f. If the operation and maintenance plan fails to address or inadequately addresses an event that meets the characteristics of a malfunction at the time the plan is initially developed, the permittee shall revise the plan within 45 days after such an event occurs. The revised plan shall include procedures for operating and maintaining the process equipment, add-on air pollution control device, or monitoring equipment during similar malfunction events and a program for corrective action for such events. [40 CFR 63.342(f)(3)(ii)]

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

g. To satisfy the requirements of 40 CFR 63.342(f)(3), the permittee may use applicable standard operation procedures (SOP) manuals, Occupational Safety and Health Administration (OSHA) plans, or other existing plans, provided the alternative plans meet the requirements of 40 CFR 63.342(f)(3)(i). [40 CFR 63.342(f)(3)(vi)]

Compliance Demonstration Method:
Refer to **5. Specific Recordkeeping Requirements (f)**.

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 (b)** and meet the requirements in **5. Specific Recordkeeping Requirements (b)**.

b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 lb/hr. [401 KAR 59:010, Section 3(2)]

Compliance Demonstration Method:
To demonstrate compliance with the particulate matter emission limitations specified in 401 KAR 59:010, the permittee shall monitor the amounts and types of process weight added to each emission unit. The process weight rate shall be determined by using the tons of material added to each emissions unit in a calendar month divided by the total hours the unit operated that month. The average particulate emissions shall be calculated as follows:

$$PE = \left(\frac{PW \times EF^{*}}{H}\right) \times (1 - CE)$$

Where:
PE = particulate emissions in lb/hr;
PW = process weight in tons/month;
EF = particulate emission factor in lb/tons of process weight;
* The particulate emission factor shall be the number determined from AP-42, MSDS, the most recent Division approved stack test, or other Division approved value.
H = total hours of operation in a month; and
CE = Control efficiency

c. The emission limitations of 40 CFR 63.342, specified in **2. Emission Limitations (d)** below, apply during tank operation as defined in 40 CFR 63.341, and during periods of startup and shutdown as these are routine occurrences for affected sources subject to 40 CFR 63, Subpart N. In response to an action to enforce the standards set forth in 40 CFR 63, Subpart N, the permittee may assert a defense to a claim for civil penalties for violations of such standards that are caused by a malfunction, as defined in 40 CFR 63.2. Appropriate penalties may be assessed, however, if the permittee fails to meet the burden of proving all

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

the requirements in the affirmative defense. The affirmative defense shall not be available for claims for injunctive relief. [40 CFR 63.342(b)(1)]

Compliance Demonstration Method:
Refer to **6. Specific Reporting Requirements (i)** and **(j)**.

d. ***Chromium Standard (for EU 46):*** During tank operation, the permittee shall control chromium emissions discharged to the atmosphere from that affected source by either: [40 CFR 63.342(d)].
   i. Not allowing the concentration of total chromium in the exhaust gas stream discharged to the atmosphere to exceed 0.007 mg/dscm (3.1×10^{-6}gr/dscf); or [40 CFR 63.342(d)(1)]
   ii. If a chemical fume suppressant containing a wetting agent is used, by not allowing the surface tension of the electroplating or anodizing bath contained within the affected source to exceed 40 dynes/cm (2.8×10^{-3}lbf/ft) as measured by a stalagmometer or 33 dynes/cm (2.3×10^{-3}lbf/ft) as measured by a tensiometer at any time during tank operation; or [40 CFR 63.342(d)(3)]
   iii. After September 21, 2015, the permittee shall not add Perfluorooctane sulfonic acid (PFOS)-based fume suppressants to any affected decorative chromium electroplating tank or chromium anodizing tank. [40 CFR 63.342(d)(4)]

Compliance Demonstration Method:
Refer to **3. Testing Requirements**, **4. Specific Monitoring Requirements (d)**, **5. Specific Recordkeeping Requirements (d)**, and **6. Specific Reporting Requirements (b)**.

e. Refer to **SECTION D** for source-wide emission limitations. [To preclude 401 KAR 52:020]

3. Testing Requirements:

a. If the permittee does not meet all of the following criteria, an initial performance test shall be performed as required under 40 CFR 63.7, using the procedures and test methods listed in 40 CFR 63.7 and 40 CFR 63.344. [40 CFR 63.343 (b)(1) and (2)]
   i. The affected source is a hard chromium electroplating tank, a decorative chromium electroplating tank or a chromium anodizing tank; [40 CFR 63.343(b)(2)(i)]
   ii. A wetting agent is used in the plating or anodizing bath to inhibit chromium emissions from the affected source; and [40 CFR 63.343(b)(2)(ii)]
   iii. The permittee complies with the applicable surface tension limit of 40 CFR 63.342(c)(1)(iii), (c)(2)(iii), or (d)(2) as demonstrated through the continuous compliance monitoring required by 40 CFR 63.342(c)(5)(ii). [40 CFR 63.343(b)(2)(iii)]
b. The surface tension shall be measured during operation of the tank with a stalagmometer or a tensiometer as specified in Method 306B, appendix A of 40 CFR 63 Subpart N. [40 CFR 63.343(c)(5)(ii)(A)]

c. The permittee shall notify the Division in writing of the intention to conduct a performance test at least 60 calendar days before the test is scheduled to begin to allow the Division to have an observer present during the test. Observation of the performance test by the

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Division is optional. In the event the permittee is unable to conduct the performance test as scheduled, the provisions of 40 CFR 63.7(b)(2) apply. [40 CFR 63.347(d)(1) and (2)]

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

4. Specific Monitoring Requirements:

a. The permittee shall monitor the following: [401 KAR 52:030, Section 10]
   i. The monthly and 12-month rolling process weight rate.
   ii. The total hours of operation on a monthly basis.

b. The permittee shall perform a qualitative visual observation of the opacity of emissions from the stack once per calendar week and a Reference Method 9 reading simultaneous with a qualitative visual observation once per calendar quarter while the affected facility is operating. If visible emissions from the stack are observed (not including condensed water in the plume), then the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 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]

c. The permittee shall calculate the monthly and 12-month rolling total emissions of PM/PM_{10}/$PM_{2.5}$ and HAP(s) to ensure compliance with the source-wide emission limitations listed in **SECTION D**. [To preclude 401 KAR 52:020]

d. *Monitoring to demonstrate continuous compliance*. The permittee of an affected source subject to the emission limitations of 40 CFR 63, Subpart N shall conduct monitoring according to the type of air pollution control technique that is used to comply with the emission limitation. The monitoring required to demonstrate continuous compliance with the emission limitations is identified in 40 CFR 63.343(c) for the air pollution control techniques expected to be used by the permittee of affected sources. As an alternative to the daily monitoring, the permittee may install a continuous pressure monitoring system; [40 CFR 63.343(c)]
   i. *Wetting agent-type or combination wetting agent-type/foam blanket fume suppressants*. [40 CFR 63.343(c)(5)]
      (1) During the initial performance test, the permittee of an affected source complying with the emission limitations in 40 CFR 63.342 through the use of a wetting agent in the electroplating or anodizing bath shall determine the outlet chromium concentration using the procedures in 40 CFR 63.344(c). The permittee shall establish as the site-specific operating parameter the surface tension of the bath using Method 306B, in Appendix A of 40 CFR 63, setting the maximum value that corresponds to compliance with the applicable emission limitation. In lieu of establishing the maximum surface tension during the performance test, the permittee may accept 40 dynes/cm, as measured by a stalagmometer, or 33 dynes/cm, as measured by a tensiometer, as the maximum surface tension value that corresponds to compliance with the applicable emission limitation. However,

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the permittee is exempt from conducting a performance test only if the criteria of 40 CFR 63.343(b)(1) are met. [40 CFR 63.343(c)(5)(i)]

(2) On and after the date on which the initial performance test is required to be completed under 40 CFR 63.7, the permittee of an affected source shall monitor the surface tension of the electroplating or anodizing bath. Operation of the affected source at a surface tension greater than the value established during the performance test, or greater than 40 dynes/cm, as measured by a stalagmometer, or 33 dynes/cm, as measured by a tensiometer, if the permittee is using this value in accordance with 40 CFR 63.343(c)(5)(i), shall constitute noncompliance with the standards. The surface tension shall be monitored according to the following schedule: [40 CFR 63.343(c)(5)(ii)]

A. The surface tension shall be measured once every 4 hours during operation of the tank with a stalagmometer or a tensiometer as specified in Method 306B, appendix A of 40 CFR 63 Subpart N. [40 CFR 63.343(c)(5)(ii)(A)]

B. The time between monitoring can be increased if there have been no exceedances. The surface tension shall be measured once every 4 hours of tank operation for the first 40 hours of tank operation after the compliance date. Once there are no exceedances during 40 hours of tank operation, surface tension measurement may be conducted once every 8 hours of tank operation. Once there are no exceedances during 40 hours of tank operation, surface tension measurement may be conducted once every 40 hours of tank operation on an ongoing basis, until an exceedance occurs. The minimum frequency of monitoring allowed by 40 CFR 63, Subpart N is once every 40 hours of tank operation. [40 CFR 63.343(c)(5)(ii)(B)]

C. Once an exceedance occurs as indicated through surface tension monitoring, the original monitoring schedule of once every 4 hours shall be resumed. A subsequent decrease in frequency shall follow the schedule laid out in 40 CFR 63.343(c)(5)(ii)(B). For example, if an owner or operator had been monitoring an affected source once every 40 hours and an exceedance occurs, subsequent monitoring would take place once every 4 hours of tank operation. Once an exceedance does not occur for 40 hours of tank operation, monitoring can occur once every 8 hours of tank operation. Once an exceedance does not occur for 40 hours of tank operation on this schedule, monitoring can occur once every 40 hours of tank operation. [40 CFR 63.343(c)(5)(ii)(C)]

(3) Once a bath solution is drained from the affected tank and a new solution added, the original monitoring schedule of once every 4 hours shall be resumed, with a decrease in monitoring frequency allowed following the procedures of 40 CFR 63.343(c)(5)(ii)(B) and (C). [40 CFR 63.343(c)(5)(iii)]

e. Refer to **SECTION F** for general monitoring requirements.

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

a. The permittee shall monitor and maintain records of the following: [401 KAR 52:030, Section 10]

a. The monthly and 12-month rolling process weight rate.

b. The total hours of operation on a monthly basis.

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b. The permittee shall retain records of the qualitative visual observations required by **4. Specific Monitoring Requirements (b)**, including the date, time, initials of observer, whether any emissions were observed (yes/no), any Method 9 readings taken, and any corrective action taken including results due to observed emissions. [401 KAR 52:030, Section 10]

c. The permittee shall keep records of monthly and 12-month rolling emissions of $PM/PM_{10}/PM_{2.5}$ and HAP(s) to ensure compliance with the source-wide emission limitations listed in **SECTION D**. [401 KAR 52:030, Section 10]

d. The permittee shall maintain the following records: [40 CFR 63.346(b)]
   i. Inspection records for the add-on air pollution control device, if such a device is used, and monitoring equipment, to document that the inspection and maintenance required by the work practice standards of 40 CFR 63.342(f) and 40 CFR 63.342 Table 1 have taken place. The record can take the form of a checklist and should identify the device inspected, the date of inspection, a brief description of the working condition of the device during the inspection, and any actions taken to correct deficiencies found during the inspection; [40 CFR 63.346(b)(1)]
   ii. Records of all maintenance performed on the affected source, the add-on air pollution control device, and monitoring equipment, except routine housekeeping practices; [40 CFR 63.346(b)(2)]
   iii. Records of the occurrence, duration, and cause (if known) of each malfunction of process, add-on air pollution control, and monitoring equipment; [40 CFR 63.346(b)(3)]
   iv. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.342(a)(1), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation; [40 CFR 63.346(b)(4)]
   v. Other records, which may take the form of checklists, necessary to demonstrate consistency with the provisions of the operation and maintenance plan required by 40 CFR63.342(f)(3); [40 CFR 63.346(b)(5)]
   vi. Test reports documenting results of all performance tests; [40 CFR 63.346(b)(6)]
   vii. All measurements as may be necessary to determine the conditions of performance tests, including measurements necessary to determine compliance with the special compliance procedures of 40 CFR 63.344(e); [40 CFR 63.346(b)(7)]
   viii. Records of monitoring data required by 40 CFR 63.343(c) that are used to demonstrate compliance with the standard including the date and time the data are collected; [40 CFR 63.346(b)(8)]
   ix. The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions, as indicated by monitoring data, that occurs during malfunction of the process, add-on air pollution control, or monitoring equipment; [40 CFR 63.346(b)(9)]
   x. The specific identification (i.e., the date and time of commencement and completion) of each period of excess emissions, as indicated by monitoring data, that occurs during periods other than malfunction of the process, add-on air pollution control, or monitoring equipment; [40 CFR 63.346(b)(10)]

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xi. The total process operating time of the affected source during the reporting period; [40 CFR 63.346(b)(11)]
xii. For sources using fume suppressants to comply with the standards, records of the date and time that fume suppressants are added to the electroplating or anodizing bath and records of the fume suppressant manufacturer and product name; [40 CFR 63.346(b)(13)]
xiii. All documentation supporting the notifications and reports required by 40 CFR 63.9, 40 CFR 63.10, and 40 CFR 63.347. [4040 CFR 63.346(b)(16)]

e. All records shall be maintained for a period of 5 years in accordance with 40 CFR 63.10(b)(1). [40 CFR 63.346(c)]

f. The permittee shall keep the written operation and maintenance plan on record after it is developed to be made available for inspection, upon request, by the Division for the life of the affected source or until the source is no longer subject to the provisions of 40 CFR 63, Subpart N. In addition, if the operation and maintenance plan is revised, the permittee shall keep previous (i.e., superseded) versions of the operation and maintenance plan on record to be made available for inspection, upon request, by the Division for a period of 5 years after each revision to the plan.[40 CFR 63.342(f)(3)(v)]

g. Refer to **SECTION F** for general recordkeeping requirements.

6. Specific Reporting Requirements:

a. If actions taken by the permittee during periods of malfunction are inconsistent with the procedures specified in the operation and maintenance plan, the permittee shall record the actions taken for that event and shall report by phone such actions within two (2) working days after commencing actions inconsistent with the plan. This report shall be followed by a letter within seven (7) working days after the end of the event, unless the permittee makes alternative reporting arrangements, in advance, with the Division. [40 CFR 63.342(f)(3)(iv)]

b. The permittee shall prepare a summary report to document the ongoing compliance status of the affected source. The report shall contain the information identified in 40 CFR 63.347(g)(3), shall be completed annually and retained on site, and made available to the Division upon request. The report shall contain the following information: [40 CFR 63.347(h)(1)]
i. The company name and address of the affected source; [40 CFR 63.347(g)(3)(i)]
ii. An identification of the operating parameter that is monitored for compliance determination, as required by 40 CFR 63.343(c); [40 CFR 63.347(g)(3)(ii)]
iii. The relevant emission limitation for the affected source, and the operating parameter value, or range of values, that correspond to compliance with this emission limitation as specified in the notification of compliance status required by 40 CFR 63.347(e); [40 CFR 63.347(g)(3)(iii)]
iv. The beginning and ending dates of the reporting period; [40 CFR 63.347(g)(3)(iv)]
v. A description of the type of process performed in the affected source; [40 CFR 63.347(g)(3)(v)]
vi. The total operating time of the affected source during the reporting period; [40 CFR

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63.347(g)(3)(vi)]

vii. A summary of operating parameter values, including the total duration of excess emissions during the reporting period as indicated by those values, the total duration of excess emissions expressed as a percent of the total source operating time during that reporting period, and a breakdown of the total duration of excess emissions during the reporting period into those that are due to process upsets, control equipment malfunctions, other known causes, and unknown causes; [40 CFR 63.347(g)(3)(viii)]

viii. A certification by a responsible official, as defined in 40 CFR 63.2, that the work practice standards in 40 CFR 63.342(f) were followed in accordance with the operation and maintenance plan for the source; [40 CFR 63.347(g)(3)(ix)]

ix. If the operation and maintenance plan required by 40 CFR 63.342(f)(3) was not followed, an explanation of the reasons for not following the provisions, an assessment of whether any excess emission and/or parameter monitoring exceedances are believed to have occurred, and a copy of the report(s) required by 40 CFR 63.342(f)(3)(iv) documenting that the operation and maintenance plan was not followed; [40 CFR 63.347(g)(3)(x)]

x. A description of any changes in monitoring, processes, or controls since the last reporting period; [40 CFR 63.347(g)(3)(xi)]

xi. The number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report shall also include a description of actions taken by the permittee during a malfunction of an affected source to minimize emissions in accordance with 40 CFR 63.342(a)(1), including actions taken to correct a malfunction. [40 CFR 63.347(g)(3)(xii)]

xii. The name, title, and signature of the responsible official who is certifying the accuracy of the report; and [40 CFR 63.347(g)(3)(xiii)]

xiii. The date of the report. [40 CFR 63.347(g)(3)(xiv)]

c. If either of the following conditions is met, semiannual reports shall be prepared and submitted to the Division: [40 CFR 63.347(h)(2)(i)]

i. The total duration of excess emissions (as indicated by the monitoring data collected by the permittee in accordance with 40 CFR 63.343(c)) is 1 percent or greater of the total operating time for the reporting period; or [40 CFR 63.347(h)(2)(i)(A)]

ii. The total duration of malfunctions of the add-on air pollution control device and monitoring equipment is 5 percent or greater of the total operating time. [40 CFR 63.347(h)(2)(i)(B)]

d. Once the permittee reports an exceedance as defined in 40 CFR 63.347(h)(2)(i), ongoing compliance status reports shall be submitted semiannually until a request to reduce reporting frequency under 40 CFR 63.347(h)(3) is approved. [40 CFR 63.347(h)(2)(ii)]

e. The Division may determine on a case-by-case basis that the summary report shall be completed more frequently and submitted, or that the annual report shall be submitted instead of being retained onsite, if these measures are necessary to accurately assess the compliance of the source. [40 CFR 63.347(h)(2)(iii)]

f. If the permittee is required to submit ongoing compliance status reports on a semiannual

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(or more frequent) basis, or is required to submit the annual report required instead of retaining it on site, may reduce the frequency of reporting to annual and/or be allowed to maintain the annual report onsite if all the following conditions are met: [40 CFR 63.347(h)(3)(i)]

i. For a full year (e.g., 2 semiannual or 4 quarterly reporting periods), the ongoing compliance status reports demonstrate that the affected source is in compliance with the relevant emission limit; [40 CFR 63.347(h)(3)(i)(A)]
ii. The permittee continues to comply with all applicable recordkeeping and monitoring requirements of 40 CFR 63, Subparts A and N; and [40 CFR 63.347(h)(3)(i)(B)]
iii. The Division does not object to a reduced reporting frequency for the affected source, as provided in 40 CFR 63.347(h)(3)(ii) and (iii). [40 CFR 63.347(h)(3)(i)(C)]

g. The frequency of submitting ongoing compliance status reports may be reduced only after the permittee notifies the Division in writing of the intention to make such a change, and the Division does not object to the intended change. In deciding whether to approve a reduced reporting frequency, the Division may review information concerning the source's previous performance history during the 5-year recordkeeping period prior to the intended change, or the recordkeeping period since the source's compliance date, whichever is shorter. Records subject to review may include performance test results, monitoring data, and evaluations of permittee's conformance with emission limitations and work practice standards. Such information may be used by the Division to make a judgment about the source's potential for noncompliance in the future. If the Division disapproves the permittee's request to reduce reporting frequency, the Division will notify the permittee in writing within 45 days after receiving notice of the permittee's intention. The notification from the Division to the permittee will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted. [40 CFR 63.347(h)(3)(ii)]

h. As soon as the monitoring data required by 40 CFR 63.343(c) show that the source is not in compliance with the relevant emission limit, the frequency of reporting shall revert to semiannual, and the permittee shall state this exceedance in the ongoing compliance status report for the next reporting period. After demonstrating ongoing compliance with the relevant emission limit for another full year, the permittee may again request approval from the Division to reduce the reporting frequency as allowed by 40 CFR 63.347(h)(3). [40 CFR 63.347(h)(3)(iii)]

i. To establish the affirmative defense in any action to enforce the standards set forth in 40 CFR 63, Subpart N, the permittee shall timely meet the reporting requirements of 40 CFR 63.342(b)(1)(ii), and shall prove by a preponderance of evidence that: [40 CFR 63.342(b)(1)(i)]
   i. The violation was caused by a sudden, infrequent, and unavoidable failure of air pollution control equipment, process equipment, or a process to operate in a normal and usual manner; and could not have been prevented through careful planning, proper design or better operation and maintenance practices; and did not stem from any activity or event that could have been foreseen and avoided, or planned for; and was not part of a recurring pattern indicative of inadequate design, operation, or maintenance; and [40 CFR 63.342(b)(1)(i)(A)]

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ii. Repairs were made as expeditiously as possible when exceeded violation occurred. Off-shift and overtime labor were used, to the extent practicable to make these repairs; and [40 CFR 63.342(b)(1)(i)(B)]
iii. The frequency, amount and duration of the violation (including any bypass) were minimized to the maximum extent practicable; and [40 CFR 63.342(b)(1)(i)(C)]
iv. If the violation resulted from a bypass of control equipment or a process, then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and [40 CFR 63.342(b)(1)(i)(D)]
v. All possible steps were taken to minimize the impact of the violation on ambient air quality, the environment, and human health; and [40 CFR 63.342(b)(1)(i)(E)]
vi. All emissions monitoring and control systems were kept in operation if at all possible, consistent with safety and good air pollution control practices; and [40 CFR 63.342(b)(1)(i)(F)]
vii. All of the actions in response to the violation were documented by properly signed, contemporaneous operating logs; and [40 CFR 63.342(b)(1)(i)(G)]
viii. At all times, the affected sources were operated in a manner consistent with good practices for minimizing emissions; and [40 CFR 63.342(b)(1)(i)(H)]
ix. A written root cause analysis was prepared, the purpose of which is to determine, correct, and eliminate the primary causes of the malfunction and the excess emissions resulting from the malfunction event at issue. The analysis shall also specify, using the best monitoring methods and engineering judgment, the amount of excess emissions that were the result of the malfunction. [40 CFR 63.342(b)(1)(i)(I)]

j. The permittee seeking to assert an affirmative defense shall submit a written report to the Division with all necessary supporting documentation, that it has met the requirements set forth in 40 CFR 63.342(b)(1)(i). This affirmative defense report shall be included in the first periodic compliance, deviation report or excess emission report otherwise required after the initial occurrence of the violation of the relevant standard (which may be the end of any applicable averaging period). If such compliance, deviation report or excess emission report is due less than 45 days after the initial occurrence of the violation, the affirmation defense report may be included in the second compliance, deviation report or excess emission report due after the initial occurrence of the violation of the relevant standard. [40 CFR 63.342(b)(1)(ii)]

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

7. Specific Control Equipment Operating Conditions:

a. The permittee shall install, operate, and maintain the associated control device(s) for each emission unit according to the manufacturer's instructions and during all times that the associated emission unit is operating. [To preclude 401 KAR 52:020]

b. The permittee shall clean and operate the stalagmometer or tensiometer according to the manufacturer's instructions and shall include them in OM&M Plan. [401 KAR 52:030, Section 10]

c. Refer to **SECTION E** for general control equipment operating requirements.

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Emission Group 3 – CHROME PLATING LINE:
All tanks associated with the chrome plating line, EXCEPT the chrome plating tank, EU 46, are subject to 40 CFR 63, Subpart WWWWWW. This includes EPs 50-4, 50-5, 51-1, 51-2, and 52-1. These tanks are new batch electrolytic process tanks containing one or more of the plating and polishing metal HAP and operate with a pH of less than 12. The maximum capacity of each of the tanks in the chrome plating line is 2.75 lb/hr.

Emission Unit	Emission Point	Description	Tank Designation and Type of Operation	Tank Capacity (gallons)	Emissions Control	Installation Date
EU 50	EP 50-4	Microporous Nickel Tank	Microporous Nickel #01	1146	Wetting Agent	2010
	EP 50-5	Bright Nickel Tank	Bright Nickel #12	2200	Wetting Agent	2010
EU 51	EP 51-1	High Sulfur Nickel Tank	High Sulfur Nickel #11	1146	Wetting Agent	2010
	EP 51-2	Semi-Bright Nickel Tank	Semi-Bright Nickel #10	3400	Wetting Agent	2010
EU 52	EP 52-1	Semi-Bright Nickel Tank	Semi-Bright Nickel #2	3400	Wetting Agent	2010

Emission Group 4 – COPPER PLATING LINE:
EP 48-1 is the only tank associated with the copper plating line that meets the criteria to be subject to 40 CFR 63, Subpart WWWWWW. This tank is a new batch electrolytic process tank containing one or more of the plating and polishing metal HAP and operates with a pH of less than 12. The maximum capacity of each of the tanks in the copper plating line is 4.76 lb/hr.

Emission Unit	Emission Point	Description	Tank Designation and Type of Operation	Tank Capacity (gallons)	Emissions Control	Installation Date
EU 48	EP 48-1	Nickel Strike Tank	Nickel Strike #19	1146	Wetting Agent	2010

APPLICABLE REGULATIONS:
401 KAR 59:010, *New Process Operations*
401 KAR 63:002, Section 2(4)(uuuuu), 40 CFR 63.11504 to 63.11512, Table 1 (Subpart WWWWWW), *National Emission Standard for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations*

1. **Operating Limitations:**
   a. The permittee shall comply with the requirements in 40 CFR 63.11507(a)(1), and implement the applicable management practices in 40 CFR 63.1507(g), as practicable. [40 CFR 63.11507(a)]
      i. The permittee shall use a wetting agent/fume suppressant in the bath of the affected tank, as defined in 40 CFR 63.11511, "What definitions apply to this subpart?" and according to 40 CFR 63.11507(a)(1)(i) through (iii). [40 CFR 63.11507(a)(1)]

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

(1) The permittee shall initially add the wetting agent/fume suppressant in the amounts recommended by the manufacturer for the specific type of electrolytic process. [40 CFR 63.11507(a)(1)(i)]
(2) The permittee shall add wetting agent/fume suppressant in proportion to the other bath chemistry ingredients that are added to replenish the bath, as in the original make-up of the bath, or in proportions such that the bath contents are returned to that of the original make-up of the bath. [40 CFR 63.11507(a)(1)(ii)]
(3) If a wetting agent/fume suppressant is included in the electrolytic process bath chemicals used in the affected tank according to the manufacturer's instructions, it is not necessary to add additional wetting agent/fume suppressants to comply with 40 CFR 63, Subpart WWWWWW. [40 CFR 63.11507(a)(1)(iii)]

Compliance Demonstration Method:

i. If the permittee uses a wetting agent/fume suppressant to comply with 40 CFR 63, Subpart WWWWWW, the permittee shall demonstrate initial compliance according to 40 CFR 63.11508(c)(1)(i) through (iv). [40 CFR 63.11508(c)(1)]
   (1) The permittee shall add wetting agent/fume suppressant to the bath of each affected tank according to manufacturer's specifications and instructions. [40 CFR 63.11508(c)(1)(i)]
   (2) The permittee shall state in the Notification of Compliance Status that the wetting agent/fume suppressant is added to the bath according to manufacturer's specifications and instructions. [40 CFR 63.11508(c)(1)(ii)]
   (3) The permittee shall implement the applicable management practices specified in 40 CFR 63.11507(g), "What are my standards and management practices?", as practicable. [40 CFR 63.11508(c)(1)(iii)]
   (4) The permittee shall state in the Notification of Compliance Status that the permittee has implemented the applicable management practices specified in 40 CFR 63.11507(g), "What are my standards and management practices?", as practicable. [40 CFR 63.11508(c)(1)(iv)]
ii. The permittee shall demonstrate continuous compliance according to 40 CFR 63.11508(d)(3)(i) through (iii). [40 CFR 63.11508(d)(3)]
   (1) The permittee shall record that the permittee has added the wetting agent/fume suppressant to the tank bath in the original make-up of the tank. [40 CFR 63.11508(d)(3)(i)]
   (2) For tanks where the wetting agent/fume suppressant is a separate ingredient from the other tank additives, the permittee shall demonstrate continuous compliance according to 40 CFR 63.11508(d)(3)(ii)(A) and (B). [40 CFR 63.11508(d)(3)(ii)]
      A. The permittee shall add wetting agent/fume suppressant in proportion to the other bath chemistry ingredients that are added to replenish the tank bath, as in the original make-up of the tank; or in proportion such that the bath is brought back to the original make-up of the tank. [40 CFR 63.11508(d)(3)(ii)(A)]
      B. The permittee shall record each addition of wetting agent/fume suppressant to the tank bath. [40 CFR 63.11508(d)(3)(ii)(B)]

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

(3) The permittee shall state in the annual compliance certification that the permittee has added wetting agent/fume suppressant to the bath according to the manufacturer's specifications and instructions. [40 CFR 63.11508(d)(3)(iii)]

ii. The permittee shall capture and exhaust emissions from the affected tank to any one of the following emission control devices: composite mesh pad, packed bed scrubber, or mesh pad eliminator, according to 40 CFR 63.11507(a)(2)(i) and (ii). [40 CFR 63.11507(a)(2)]

(1) The permittee shall operate all capture and control devices according to the manufacturer's specifications and operating instructions. [40 CFR 63.11507(a)(2)(i)]

(2) The permittee shall keep the manufacturer's specifications and operating instructions at the facility at all times in a location where they can be easily accessed by the operators. [40 CFR 63.11507(a)(2)(ii)]

Compliance Demonstration Method:

i. If the permittee uses a control system to comply with 40 CFR 63, Subpart WWWWWW, the permittee shall demonstrate initial compliance according to 40 CFR 63.11508(c)(2)(i) through (v). [40 CFR 63.11508(c)(2)]

(1) The permittee shall install a control system designed to capture emissions from the affected tank and exhaust them to a composite mesh pad, packed bed scrubber, or mesh pad mist eliminator. [40 CFR 63.11508(c)(2)(i)]

(2) The permittee shall state in the Notification of Compliance Status that the control system has been installed according to the manufacturer's specifications and instructions. [40 CFR 63.11508(c)(2)(ii)]

(3) The permittee shall implement the applicable management practices specified in 40 CFR 63.11507(g), "What are my standards and management practices?", as practicable. [40 CFR 63.11508(c)(2)(iii)]

(4) The permittee shall state in the Notification of Compliance Status that the permittee has implemented the applicable management practices specified in 40 CFR 63.11507(g), "What are my standards and management practices?", as practicable. [40 CFR 63.11508(c)(2)(iv)]

(5) The permittee shall follow the manufacturer's specifications and operating instructions for the control systems at all times. [40 CFR 63.11508(c)(2)(v)]

ii. The permittee shall demonstrate continuous compliance according to 40 CFR 63.11508(d)(4)(i) through (v). [40 CFR 63.11508(d)(4)]

(1) The permittee shall operate and maintain the control system according to the manufacturer's specifications and instructions. [40 CFR 63.11508(d)(4)(i)]

(2) Following any malfunction or failure of the capture or control devices to operate properly, the permittee shall take immediate corrective action to return the equipment to normal operation according to the manufacturer's specifications and operating instructions. [40 CFR 63.11508(d)(4)(ii)]

(3) The permittee shall state in the annual certification that the permittee has operated and maintained the control system according to the manufacturer's specifications and instructions. [40 CFR 63.11508(d)(4)(iii)]

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

(4) The permittee shall record the results of all control system inspections, deviations from proper operation, and any corrective action taken. [40 CFR 63.11508(d)(4)(iv)]
(5) The permittee shall keep the manufacturer's operating instructions at the facility at all times in a location where they can be easily accessed by the operators. [40 CFR 63.11508(d)(4)(v)]

iii. The permittee shall cover the tank surface according to 40 CFR 63.11507(a)(3)(i). [40 CFR 63.11507(a)(3)]
(1) The permittee shall use a tank cover, as defined in 40 CFR 63.11511, over all of the effective surface area of the tank for at least 95% of the electrolytic process operating time. [40 CFR 63.11507(a)(3)(i)]

Compliance Demonstration Method:

i. If the permittee uses a tank cover to comply with 40 CFR 63.11507(a), the permittee shall demonstrate initial compliance according to 40 CFR 63.11508(c)(3)(i) through (iv). [40 CFR 63.11508(c)(3)]
(1) The permittee shall install a tank cover on the affected tank. [40 CFR 63.11508(c)(3)(i)]
(2) The permittee shall state in the Notification of Compliance Status that the tank is operated with the cover in place at least 95% of the electrolytic process operating time. [40 CFR 63.11508(c)(3)(ii)]
(3) The permittee shall implement the applicable management practices specified in 40 CFR 63.11507(g), "What are my standards and management practices?", as practicable. [40 CFR 63.11508(c)(3)(iii)]
(4) The permittee shall state in the Notification of Compliance Status that the permittee has implemented the applicable management practices specified in 40 CFR 63.11507(g), "What are my standards and management practices?", as practicable. [40 CFR 63.11508(c)(3)(iv)]
ii. The permittee shall demonstrate continuous compliance according to 40 CFR 63.11508(d)(6)(i) through (iii). [40 CFR 63.11508(d)(6)]
(1) The permittee shall operate the tank with the cover in place at least 95% of the electrolytic process operating time. [40 CFR 63.11508(d)(6)(i)]
(2) The permittee shall record the times that the tank is operated and the times the tank is covered on a daily basis. [40 CFR 63.11508(d)(6)(ii)]
(3) The permittee shall state in the annual certification that the permittee has operated the tank with the cover in place at least 95% of the electrolytic process time. [40 CFR 63.11508(d)(6)(iii)]

b. The permittee shall implement the following management practices, as practicable: [40 CFR 63.11507(g)]
i. Minimize bath agitation when removing any parts processed in the tank, as practicable except when necessary to meet part quality requirements. [40 CFR 63.11507(g)(1)]
ii. Maximize the draining of bath solution back into the tank, as practicable, by extending drip time when removing parts from the tank; using drain boards (also known as drip shields); or withdrawing parts slowly from the tank, as practicable. [40 CFR 63.11507(g)(2)]

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

iii. Optimize the design of barrels, racks, and parts to minimize dragout of bath solution (such as by using slotted barrels and tilted racks, or by designing parts with flow through holes to allow the tank solution to drip back into the tank), as practicable. [40 CFR 63.11507(g)(3)]
iv. Use tank covers, if already owned and available at the facility, whenever practicable. [40 CFR 63.11507(g)(4)]
v. Minimize or reduce heating of process tanks, as practicable (e.g., when doing so would not interrupt production or adversely affect part quality). [40 CFR 63.11507(g)(5)]
vi. Perform regular repair, maintenance, and preventative maintenance of racks, barrels, and other equipment associated with affected sources, as practicable [40 CFR 63.11507(g)(6)]
vii. Minimize bath contamination, such as through the prevention or quick recovery of dropped parts, use of distilled/de-ionized water, water filtration, pre-cleaning of parts to be plated, and thorough rinsing of pre-treated parts to be plated, as practicable. [40 CFR 63.11507(g)(7)]
viii. Maintain quality control of chemicals, and chemical and other bath ingredient concentrations in the tanks, as practicable. [40 CFR 63.11507(g)(8)]
ix. Perform general good housekeeping, such as regular sweeping or vacuuming, if needed, and periodic washdowns, as practicable. [40 CFR 63.11507(g)(9)]
x. Minimize spills and overflow of tanks, as practicable. [40 CFR 63.11507(g)(10)]
xi. Perform regular inspections to identify leaks and other opportunities for pollution prevention. [40 CFR 63.11507(g)(12)]

Compliance Demonstration Method:
To demonstrate continuous compliance with the management practices specified in 40 CFR 63, Subpart WWWWWW, the permittee shall satisfy the requirements specified in 40 CFR 63.11508(d)(1) through (8). [40 CFR 63.11508(d)]

i. The permittee shall always operate and maintain the affected source, including air pollution control equipment. [40 CFR 63.11508(d)(1)]
ii. The permittee shall prepare an annual compliance certification according to the requirements specified in 40 CFR 63.11509(c), "Notification, Reporting, and Recordkeeping," and keep it in a readily-accessible location for inspector review. [40 CFR 63.11508(d)(2)]
iii. The permittee shall demonstrate continuous compliance with 40 CFR 63.11507(g) according to 40 CFR 63.11508(d)(8)(i) and (ii). [40 CFR 63.11508(d)(8)]
    (1) The permittee shall implement the management practices during all times that the affected tank or process is in operation. [40 CFR 63.11508(d)(8)(i)]
    (2) The permittee shall state in the annual compliance certification that the permittee has implemented the applicable management practices, as practicable. [40 CFR 63.11508(d)(8)(ii)]

c. The permittee shall limit the processing rates at the emission points such that the permittee is in compliance with the emission limitations specified in **2. Emission Limitations**.

Compliance Demonstration Method:
Refer to **4. Specific Monitoring Requirements** and **5. Specific Recordkeeping Requirements**.

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

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 (b)** and meet the requirements in **5. Specific Recordkeeping Requirements (b)**.

b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 lb/hr. [401 KAR 59:010, Section 3(2)]

Compliance Demonstration Method:
To demonstrate compliance with the particulate matter emission limitations specified in 401 KAR 59:010, the permittee shall monitor the amounts and types of process weight added to each emission unit. The process weight rate shall be determined by using the tons of material added to each emissions unit in a calendar month divided by the total hours the unit operated that month. The average particulate emissions shall be calculated as follows:

$$PE = \left(\frac{PW \times EF^{*}}{H}\right) \times (1 - CE)$$

Where:
PE = particulate emissions in lb/hr;
PW = process weight in tons/month;
EF = particulate emission factor in lb/tons of process weight;
* The particulate emission factor shall be the number determined from AP-42, MSDS, the most recent Division approved stack test, or other Division approved value.
H = total hours of operation in a month; and
CE = Control efficiency

c. Refer to **SECTION D** for source-wide emission limitations. [To preclude 401 KAR 52:020]

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

a. The permittee shall monitor of the following for each emission point: [401 KAR 52:030, Section 10]
   i. The monthly and 12-month rolling of process weight rate.
   ii. The total hours of operation on a monthly basis.

b. The permittee shall perform a qualitative visual observation of the opacity of emissions from the stack once per calendar week and a Reference Method 9 reading simultaneous

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

with a qualitative visual observation once per calendar quarter while the affected facility is operating. If visible emissions from the stack are observed (not including condensed water in the plume), then the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 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]

c. The permittee shall calculate the monthly and 12-month rolling total emissions of PM/PM_{10}/$PM_{2.5}$ and HAP(s) to ensure compliance with the source-wide emission limitations listed in **SECTION D**. [401 KAR 52:030, Section 10]

d. Refer to **SECTION F** for general monitoring requirements.

5. Specific Recordkeeping Requirements:

a. The permittee shall keep records of the following for each emission point: [401 KAR 52:030, Section 10]
   i. The monthly and 12-month rolling of process weight rate.
   ii. The total hours of operation on a monthly basis.

b. The permittee shall retain records of the qualitative visual observations required by **4. Specific Monitoring Requirements (b)**, including the date, time, initials of observer, whether any emissions were observed (yes/no), any Method 9 readings taken, and any corrective action taken including results due to observed emissions. [401 KAR 52:030, Section 10]

c. The permittee shall keep records of monthly and 12-month rolling emissions of PM/PM_{10}/$PM_{2.5}$ and HAP(s) to ensure compliance with the source-wide emission limitations listed in **SECTION D**. [401 KAR 52:030, Section 10]

d. The permittee shall keep the following records: [40 CFR 63.11509(e)]
   i. A copy of any Initial Notification and Notification of Compliance Status that was submitted and all documentation supporting those notifications. [40 CFR 63.11509(e)(1)]
   ii. The records specified in 40 CFR 63.10(b)(2)(i) through (iii) and (xiv) of the General Provisions of 40 CFR 63, Subpart WWWWWW. [40 CFR 63.11509(e)(2)]
   iii. The records required to show continuous compliance with each management practice and equipment standard that applies to the emission points listed above, as specified in 40 CFR 63.11508(d). [40 CFR 63.11509(e)(3)]

e. The permittee shall keep each record for a minimum of 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. The permittee shall keep each record onsite for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1) of the General Provisions to part 63. The permittee may keep the records offsite for the remaining 3 years. [40 CFR 63.11509(f)]

f. Refer to **SECTION F** for general recordkeeping requirements.

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

6. Specific Reporting Requirements:

a. The permittee submit a Notification of Compliance Status in accordance with 40 CFR 63.11509(b)(1) through (3). [40 CFR 64.11509(b)]
   i. The Notification of Compliance Status shall be submitted before the close of business on the compliance date specified in 40 CFR 63.11506, "What are my compliance dates?" [40 CFR 64.11509(b)(1)]
   ii. The Notification of Compliance Status shall include the items specified in 40 CFR 63.11509(b)(2)(i) through (iv). [40 CFR 64.11509(b)(2)]
      (1) List of affected sources and the plating and polishing metal HAP used in, or emitted by, those sources. [40 CFR 63.11609(b)(2)(i)]
      (2) Methods used to comply with the applicable management practices and equipment standards. [40 CFR 63.11509(b)(2)(ii)]
      (3) Description of the capture and emission control systems used to comply with the applicable equipment standards. [40 CFR 63.11509(b)(2)(iii)]
      (4) Statement by the owner or operator of the affected source as to whether the source is in compliance with the applicable standards or other requirements. [40 CFR 63.11509(b)(2)(iv)]
   iii. If the permittee makes a change to any items in 40 CFR 63.11509(b)(2)(i), (iii), and (iv) that does not result in a deviation, an amended Notification of Compliance Status should be submitted within 30 days of the change. [40 CFR 64.11509(b)(3)]

b. The permittee shall prepare an annual certification report according to 40 CFR 63.11509(c)(1) through (7). These reports do not need to be submitted unless a deviation from the requirements of 40 CFR 63, Subpart WWWWWW have occurred during the reporting year, in which case, the annual compliance report shall be submitted along with the deviation report. [40 CFR 63.11509(c)]
   i. If the permittee uses wetting agent/fume suppressant to comply with 40 CFR 63, Subpart WWWWWW, the permittee shall state in the annual compliance certification that the permittee has added wetting agent/fume suppressant to the bath according to the manufacturer's specifications and instructions. [40 CFR 63.11509(c)(1)]
   ii. If the permittee uses a control system to comply with 40 CFR 63, Subpart WWWWWW, the permittee shall state in the annual certification that the permittee has operated and maintained the control system according to the manufacturer's specifications and instructions. [40 CFR 63.11509(c)(2)]
   iii. If the permittee uses a tank cover to comply with 40 CFR 63.11507(a), the permittee shall state in the annual certification that the permittee has operated the tank with the cover in place at least 95% of the electrolytic process time. [40 CFR 63.11509(c)(4)]
   iv. The permittee shall state in the annual compliance certification that the applicable management practices in 40 CFR 63.11507(g) have been implemented, as practicable. [40 CFR 63.11509(c)(6)]
   v. Each annual compliance report shall be prepared no later than January 31 of the year immediately following the reporting period and kept in a readily-accessible location for inspector review. If a deviation has occurred during the year, each annual compliance report shall be submitted along with the deviation report, and postmarked or delivered no later than January 31 of the year immediately following the reporting period. [40 CFR 63.11509(c)(7)]

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

c. For the emission points listed above, if any deviations from the compliance requirements specified in 40 CFR 63, Subpart WWWWWW occurred during the year, the permittee shall report the deviations, along with the corrective action taken, and submit this report to the Division. [40 CFR 63.11509(d)]

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

7. Specific Control Equipment Operating Conditions:
Refer to **SECTION E** for general control equipment operating requirements.

SECTION C - INSIGHNIFICANT ACTIVITIES

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

Description	Generally Applicable Regulation
1. Paint Shield Wash Unit (EP 10)	None
2. CASS Test Units #1 & #2 (EP 20-1)	401 KAR 63:020
3. Drying Oven #1 – Washer Oven #408 (0.88 MMBTU) (EP 20-2)	401 KAR 61:020 401 KAR 63:020
4. Drying Oven #2 – Paint Room #487M (10.06 MMBTU) (EP 21)	401 KAR 61:020 401 KAR 63:020
5. Alkaline Etch Tank #4 (EP 47-1)	401 KAR 59:010
6. Electroclean Tank #4 (EP 47-2)	401 KAR 59:010
7. Compound Remover Tank #2 (EP 47-3)	None
8. Zincate Tank #15 (EP 48-2)	401 KAR 59:010
9. Zincate Strip Tank #13 (EP 48-3)	401 KAR 59:010
10. Desmut Tank #7 (EP 48-4)	401 KAR 63:020
11. Acid Copper Plate #1 (EP 49-1)	401 KAR 59:010 401 KAR 63:020
12. Acid Copper Plate #2 (EP 49-2)	401 KAR 59:010 401 KAR 63:020
13. Compound Remover Tank #08 (EP 50-1)	None
14. Electroclean Tank #04 (EP 50-2)	None
15. Copper Activator Tank #07 (EP 50-3)	401 KAR 59:010
16. Final Inspection Stations (EP 53)	None
17. Wheel Wash #1 & #2 (EP 54)	401 KAR 63:020
18. Wheel Blast Unit #1 (EP 55)	401 KAR 59:010
19. Wheel Blast Unit #2 (EP 56)	401 KAR 59:010

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, PM/PM_{10}/$PM_{2.5}$, HAP, SO_2, opacity, and Chromic Acid emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.

3. Source-wide VOC emissions shall not exceed 90 tons per year on a rolling 12-month basis. [To preclude 401 KAR 52:020]

   Compliance Demonstration Method:
   The permittee shall demonstrate compliance with the source-wide VOC emissions limit by calculating the source-wide emissions monthly using the following equation:

$$E_{VOC}\left(\frac{tons}{month}\right) = \sum_{i=1}^{n} PW_i\left(\frac{tons}{month}\right) \times EF^*_i\left(\frac{lb}{tons}\right) \times \left(\frac{1 - CE_i}{2000\ \left(\frac{lb}{tons}\right)}\right)$$

   Where:
   i = Each emission point from which VOC is emitted;
   n = The total number of emission points from which VOC is emitted;
   E_{VOC} = Total monthly VOC emissions;
   PW_i = Process weight used at emission point i;
   EF_i = Emission factor for VOC at emission point i; and
   CE_i = Control efficiency for controls used at emission point i.
   * The VOC emission factor shall be the number determined from AP-42, the most recent Division approved stack test, or Division approved value.

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

$$VOC_{total} = \sum_{m=1}^{12} VOC_m$$

   Where:
   E_{VOC} = Total monthly VOC emissions
   m = month

4. Source-wide PM/PM_{10}/$PM_{2.5}$ emissions shall not exceed 90 tons per year on a rolling 12-month basis. [To preclude 401 KAR 52:020]

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

Compliance Demonstration Method:
The permittee shall demonstrate compliance with the source-wide PM/PM_{10}/$PM_{2.5}$ emissions limit by calculating the source-wide emissions monthly using the following equation:

$$E_{PM/PM_{10}/PM_{2.5}}\left(\frac{tons}{month}\right) = \sum_{i=1}^{n} PW_i\left(\frac{tons}{month}\right) \times EF^*{}_i\left(\frac{lb}{tons}\right) \times \left(\frac{1 - CE_i}{2000\ \left(\frac{lb}{tons}\right)}\right)$$

Where:
i = Each emission point from which PM/PM_{10}/$PM_{2.5}$ is emitted;
n = The total number of emission points from which PM/PM_{10}/$PM_{2.5}$ is emitted;
$E_{PM/PM_{10}/PM_{2.5}}$= Total monthly PM/PM_{10}/$PM_{2.5}$ emissions;
PW_i = Process weight used at emission point i;
EF_i = Emission factor for PM/PM_{10}/$PM_{2.5}$ at emission point i; and
CE_i = Control efficiency for controls used at emission point i.
* The PM/PM_{10}/$PM_{2.5}$ emission factor shall be the number determined from AP-42, MSDS, the most recent Division approved stack test, or Division approved value.

The total monthly PM/PM_{10}/$PM_{2.5}$ emission rate (tons/month) as calculated above shall be used to show compliance with the rolling 12-month total limit.

$$PM/PM_{10}/PM_{2.5_{total}} = \sum_{m=1}^{12} (E_{PM/PM_{10}/PM_{2.5}})_m$$

Where:
$E_{PM/PM_{10}/PM_{2.5}}$= Total monthly PM/PM_{10}/$PM_{2.5}$ emissions
m = month

5. Source-wide emissions of any single HAP shall not exceed 9.0 tons during any 12 consecutive month period. The source-wide emissions of combined HAP(s) shall not exceed 22.5 tons during any 12 consecutive month period. [To preclude 401 KAR 52:020 and major source status for HAPs]

Compliance Demonstration Method:
The permittee shall demonstrate compliance with the source-wide HAP emissions limit by calculating the source-wide emissions monthly using the following equation:

$$E_{HAP}\left(\frac{tons}{month}\right) = \sum_{i=1}^{n} PW_i\left(\frac{tons}{month}\right) \times EF_i^*\left(\frac{lb}{tons}\right) \times \left(\frac{1 - CE_i}{2000\ \left(\frac{lb}{tons}\right)}\right)$$

Where:
i = Each emission point from which HAP is emitted;
n = The total number of emission points from which HAP is emitted;
E_{HAP}= Total monthly HAP emissions;
PW_i = Process weight used at emission point i;
CE_i = Control efficiency for controls used at emission point i;
EF_i = Emission factor for HAP at emission point i.
* The HAP emission factor shall be the number determined from AP-42, MSDS, the most recent Division approved stack test, or Division approved value.

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

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

$$HAP_{total} = \sum_{m=1}^{12} (E_{HAP})_m$$

Where:

E_{HAP}= Total monthly HAP emissions

m = month

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 (CONTINUED)

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, 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

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 permit F-24-066.

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

actions taken.

(5) Notification of the Division does not relieve the source of any other local, state or federal notification requirements.

b. Emergency conditions listed in General Provision G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030, Section 23(3)].

c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030, Section 23(2)].

8. Ozone depleting substances

a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

(1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.

(2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.

(3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.

(4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.

(5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.

(6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

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