

**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: Keystone Foods, LLC
Mailing Address: 2292 Highway 90W, Albany KY 42602**

**Source Name: Keystone Foods, LLC – Albany Processing
Mailing Address: 2292 Highway 90W, Albany KY 42602**

Source Location: 2294 Highway 90W

**Permit ID: F-25-043
Agency Interest #: 856
Activity ID: APE20250001
Review Type: Conditional Major, Operating
Source ID: 21-053-00018**

**Regional Office: London Regional Office
875 South Main St.
London, KY 40741
(606) 330-2080**

County: Clinton

**Application
Complete Date: November 18, 2025
Issuance Date:
Expiration Date:**

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

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Permit	Permit Type	Activity #	Complete Date	Issuance Date	Summary of Action
F-25-043	Renewal	APE20250001	11/18/2025		Permit Renewal

SECTION A - PERMIT AUTHORIZATION

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

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

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

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**Emission Unit 24****Indirect Heat Exchanger #1 (EU24)****Description:**

Boiler #3: Kewanee H3S-500-G02
Construction Commenced: June 2010
Rated Capacity: 16.7 MMBtu/hr
Primary Fuel: Propane
Secondary Fuel: Natural Gas
Tertiary Fuel: Anaerobic Lagoon Gas

APPLICABLE REGULATIONS:

401 KAR 59:015, New indirect heat exchangers.

401 KAR 60:005, Section 2(2)(d), 40 CFR 60.40c through 60.48c (Subpart Dc), Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

1. Operating Limitations:

During a startup or a shutdown period, the permittee shall comply with the following work practice standards [401 KAR 59:015, Section 7(1)]:

- 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 [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 emission units during startup periods and shutdown periods [401 KAR 59:015, Section 7(1)(c)]; and
- d. The actions, including duration of the startup periods, of the permittee of each emission unit during startup periods and shutdown periods, shall be documented by signed, contemporaneous logs or other relevant evidence [401 KAR 59:015, Section 7(1)(d)]; and
- e. Startups and shutdowns shall be conducted according to either [401 KAR 59:015, Section 7(1)(e)]:
 - i. The manufacturer's recommended procedures [401 KAR 59:015, Section 7(1)(e)1.]; or
 - ii. The 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 of the emission units [401 KAR 59:015, Section 7(1)(e)2.].

Compliance Demonstration Method:

Compliance shall be demonstrated according to **5. Specific Recordkeeping Requirements (b)**.

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

2. Emission Limitations:

- a. The permittee shall meet the following emission limitations for particulate matter and sulfur dioxide:

EMISSION	EMISSION RATE	REGULATORY REQUIREMENT	COMPLIANCE DEMONSTRATION
Particulate Matter	0.43 lb/MMBtu	401 KAR 59:015, Section 4(1)(c)	Assumed to be in compliance while combusting gaseous fuel
	20% opacity ¹	401 KAR 59:015, Section 4(2)	
Sulfur Dioxide	1.93 lb/MMBtu	401 KAR 59:015, Section 5(1)(c)2.b.	

1: The opacity standard applies except for a maximum of forty (40) percent opacity shall be allowed for a maximum of six (6) consecutive minutes in any sixty (60) consecutive minutes during a fire box cleaning or soot blowing; or 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 manufacturers recommendations [401 KAR 59:015, Section 4 (2)(b) and (c)].

- b. See Section D – Source Emission Limitations and Testing Requirements.

3. Testing Requirements:

Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 4]

4. Specific Monitoring Requirements:

The permittee shall monitor the natural gas (MMscf), propane (Mgal), and lagoon gas (MMscf) usage on monthly basis for Emission Unit 24 and source wide. [401.KAR 52:030, Section 10]

5. Specific Monitoring Requirements:

- a. The permittee shall maintain the records of operating parameters of the amount of natural gas (MMscf), propane (Mgal), and lagoon gas (MMscf) used on monthly basis for Emission Unit 24 and source-wide [401 KAR 52:030, Section 10 and 40 CFR 60.48c(g)(2)]
- b. 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 actions taken [401 KAR 52:030, Section 10].
- c. All records shall be maintained by the permittee for a period of two years following the date of such record [40 CFR 60.48c(i)].

6. Specific Reporting Requirements:

Refer to Section F – Monitoring, Recordkeeping, and Reporting Requirements for additional requirements.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 25****Description:**

Boiler #4: Victory Energy Model: F-3-DB-500-S150-M
Construction Commenced 2017
Heat Input Capacity: 20.925 MMBtu/hr
Primary Fuel: Propane
Secondary Fuel: Natural Gas
Tertiary Fuel: No.2 Fuel Oil

APPLICABLE REGULATIONS:

401 KAR 59:015, New indirect heat exchangers.

401 KAR 60:005, Section 2(2)(d), 40 CFR 60.40c through 60.48c (Subpart Dc), Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.

PRECLUDED REGULATIONS:

401 KAR 63:002, Section 2(4)(jjjjj), 40 C.F.R. 63.11193 through 63.11237, Tables 1 through 8 (Subpart JJJJJ), National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

1. Operating Limitations:

- a. To be considered a *gas-fired boiler* and preclude the applicability of 40 CFR 63, Subpart JJJJJ, the boilers shall burn gaseous fuels not combined with any solid fuels and burn **liquid fuel only during periods of gas curtailment, gas supply interruption, startups, or for** periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a combined total of forty-eight (48) hours during any calendar year. For the purposes of this condition, the following definitions, found in 40 CFR 63.11237, shall apply. [40 CFR 63.11195(e)]
 - i. *Period of gas curtailment or supply interruption* means a period of time during which the supply of gaseous fuel to an affected boiler is restricted or halted for reasons beyond the control of the facility. The act of entering into a contractual agreement with a supplier of natural gas established for curtailment purposes does not constitute a reason that is under the control of a facility for the purposes of this definition. An increase in the cost or unit price of natural gas due to normal market fluctuations not during periods of supplier delivery restriction does not constitute a period of natural gas curtailment or supply interruption. On-site gaseous fuel system emergencies or equipment failures qualify as periods of supply interruption when the emergency or failure is beyond the control of the facility.
 - ii. *Startup* means:
 1. Either the first-ever firing of fuel in a boiler for the purpose of supplying useful thermal energy (such as steam or hot water) for heating and/or producing electricity, or for any other purpose, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the useful thermal energy from the boiler is supplied for heating and/or producing electricity, or for any other purpose, or

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

2. The period in which operation of a boiler is initiated for any purpose. Startup ends four (4) hours after when the boiler supplies useful thermal energy heating, cooling, or process purposes or generating electricity, whichever is earlier.
- iii. *Shutdown* means the period in which cessation of operation of a boiler is initiated for any purpose. Shutdown begins when the boiler no longer supplies useful thermal energy for heating, cooling, or process purposes or generates electricity, or when no fuel is being fed to the boiler, whichever is earlier. Shutdown ends when the boiler no longer supplies useful thermal energy for heating, cooling, or process purposes or generates electricity, and no fuel is being combusted in the boiler.
- iv. Useful thermal energy means energy (i.e., steam or hot water) that meets the minimum operating temperature, flow, and/or pressure required by an energy use system that uses energy provided by the affected boiler.
- v. Energy use system:
 1. Includes the following systems located on the site of the affected boiler that use energy provided by the boiler:
 - A. Process heating; compressed air systems; machine drive (motors, pumps, fans); process cooling; facility heating, ventilation, and air conditioning systems; hot water systems; building envelop; and lighting; or
 - B. Other systems that use steam, hot water, process heat, or electricity, provided by the affected boiler.
 2. Energy use systems are only those systems using energy clearly produced by affected boilers. Compliance Demonstration Method:

Compliance Demonstration Method:

Compliance shall be demonstrated according to **4. Specific Monitoring Requirement (b)** and **5. Specific Recordkeeping Requirements (b)**

- b. During a startup or a shutdown period, the permittee shall comply with the following work practice standards [401 KAR 59:015, Section 7(1)]:
 - i. The permittee shall comply with 401 KAR 50:055, Section 2(5) [401 KAR 59:015, Section 7(1)(a)];
 - ii. The frequency and duration of startup periods or shutdown periods shall be minimized [401 KAR 59:015, Section 7(1)(b)];
 - iii. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the emission units during startup periods and shutdown periods [401 KAR 59:015, Section 7(1)(c)];
 - iv. The actions, including duration of the startup periods, of the permittee of each emission unit during startup periods and shutdown periods, shall be documented by signed,

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

contemporaneous logs or other relevant evidence [401 KAR 59:015, Section 7(1)(d)]; and

- v. Startups and shutdowns shall be conducted according to either [401 KAR 59:015, Section 7(1)(e)]:
 - 1. The manufacturer’s recommended procedures [401 KAR 59:015, Section 7(1)(e)1.]; or
 - 2. 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 of the emission units [401 KAR 59:015, Section 7(1)(e)2.].

Compliance Demonstration Method:

Compliance shall be demonstrated according to **5. Specific Recordkeeping Requirements (d)**.

2. Emission Limitations:

- a. The permittee shall meet the following emission limitations for particulate matter and sulfur dioxide:

EMISSION	EMISSION RATE	REGULATORY REQUIREMENT
Particulate Matter (combusting gaseous fuel or fuel oil)	0.41 lb/MMBtu	401 KAR 59:015, Section 4(1)(c)
	20% Opacity ¹	401 KAR 59:015, Section 4(2)
Sulfur Dioxide (combusting gaseous fuel)	1.74 lb/MMBtu	401 KAR 59:015, Section 5(1)(c)2.b.
Sulfur Dioxide (combusting fuel oil)	0.5 lb/MMBtu OR not combust oil that contains greater than 0.5 weight percent sulfur	40 CFR 60.42c(d)

1: The opacity standard applies except for a maximum of forty (40) percent opacity shall be allowed for a maximum of six (6) consecutive minutes in any sixty (60) consecutive minutes during a fire box cleaning or soot blowing; or 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 manufacturers recommendations[401 KAR 59:015, Section 4 (2)(b) and (c)].

Compliance Demonstration Method:

- 1. While combusting propane, natural gas, or No. 2 fuel oil, the unit is assumed to be in compliance with the allowable particulate matter standard.
- 2. While combusting propane or natural gas, the unit is assumed to be in compliance with the allowable opacity and sulfur dioxide standard.
- 3. While combusting No. 2 fuel oil, compliance with sulfur dioxide standard shall be demonstrated according to **5. Specific Recordkeeping Requirements (e)**.

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

4. While combusting No. 2 fuel oil, compliance with the opacity standard shall be demonstrated according to **4. Specific Monitoring Requirement (c)** and **5. Specific Recordkeeping Requirements (f)**.

b. See **Section D – Source Emission Limitations and Testing Requirements**.

3. Testing Requirements

Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 4]

4. Specific Monitoring Requirements

a. The permittee shall monitor the natural gas (MMscf), propane (Mgal), and fuel oil (Mgal) usage on monthly basis for Emission Unit 25 and source wide. [401.KAR 52:030, Section 10]

b. The permittee shall monitor the hours of operation for the unit when burning liquid fuel, specify that the units were burning liquid fuel for the purposes of gas curtailment, gas supply interruption, startups, periodic testing, maintenance, or operator training on liquid fuel [401 KAR 52:030, Section 10]

c. While combusting No. 2 fuel oil, the permittee shall perform a qualitative visual observation of the opacity of emissions from the stack no less frequently than every seven calendar days while the affected facility is operating. If visible emissions from the stack are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume) [401 KAR 52:030, Section 10].

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain the records of the amount of natural gas (MMscf), propane (Mgal), and fuel oil (Mgal) used on monthly basis for Emission Unit 25 and source wide. [401 KAR 52:030, Section 10 and 40 CFR 60.48c(g)(2)]

b. The permittee shall maintain records of the reason No. 2 fuel oil is burned (gas curtailment, gas supply interruption, startups, periodic testing, maintenance, or operator training on liquid fuel) and the number of hours liquid fuel is burned on a monthly basis [401 KAR 50:030, Section 10].

c. For startups on liquid fuel, the permittee shall maintain records of [401 KAR 52:030, Section 10]:

i. The time startup begins;

ii. The time the fuel switch from liquid to gas is completed;

iii. The time that useful thermal energy is supplied by the boiler; and

iv. Which 40 CFR 63.11237 definition of “startup” is being followed.

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

- d. 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 actions taken [401 KAR 52:030, Section 10].
- e. The permittee shall maintain records of fuel supplier certification for No. 2 fuel oil that includes that following information: [40 CFR 60.48c(f)(1)]
 - i. The name of the oil supplier; [40 CFR 60.48c(f)(1)(i)]
 - ii. A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; and [40 CFR 60.48c(f)(1)(ii)]
 - iii. The sulfur content or maximum sulfur content of the oil. [40 CFR 60.48c(f)(1)(iii)]
- f. The permittee shall maintain a log of any qualitative visual observations of emissions from the stack, any corrective actions performed, and any U.S. EPA Reference Method 9 readings performed, documenting the date and time [401 KAR 52:030, Section 10].
- g. All records shall be maintained by the permittee for a period of two years following the date of such record [40 CFR 60.48c(i)].

6. Specific Reporting Requirements:

- a. The reporting period for the reports required in 40 CFR 60, Subpart Dc, is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period [40 CFR 60.48c(j)].
- b. The permittee shall submit excess emission reports for any emissions in excess of the 40 CFR 60.43c(c) opacity limit that occur during the reporting period. [40 CFR 60.48c(c)]
- c. The permittee shall submit reports including fuel oil fuel supplier certifications with a statement signed by the permittee that the records of fuel supplier certification submitted represent all of the fuel oil combusted during the reporting period. [40 CFR 60.48c(e)]
- d. Refer to **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for additional requirements.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit 03 and 04****(EU03 & EU04) Heater #1 and Heater #2****Description:**

Two Water Heaters:

Hot Water Heater: Heater #1 (EU03);

Hot Water Heater: Heater #2 (EU04)

Model: Kemco Systems 25189;

Model: Kemco Systems 20898

Rated Capacity: 11 MMBtu/hr, each

Primary Fuel: Propane

Secondary Fuel: Natural Gas

Construction Commenced: July 1998

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations

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

1. Operating Limitations:

N/A

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)]
- 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:

These units are assumed to be in compliance with the applicable 401 KAR 59:010 opacity and PM limitations.

- c. Persons responsible for a source from which hazardous matter or toxic substances may be emitted shall provide the utmost care and consideration, in the handling of these materials, to the potentially harmful effects of the emissions resulting from such activities. 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. Evaluation of such facilities as to adequacy of controls and/or procedures and emission potential will be made on an individual basis by the cabinet. [401 KAR 63:020, Section 3]

Compliance Demonstration Method:

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

- d. See **Section D – Source Emission Limitations and Testing Requirements.**

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

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of natural gas (MMscf) and propane (Mgal) usage on a source-wide monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the amount of natural gas (MMscf) and propane (Mgal) burned on a source-wide monthly basis. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

Refer to **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for additional requirements.

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

Emission Unit 07

Emergency Diesel Fire Pump Engine

Emission Unit	Description	Manufacture Date	Maximum Continuous Rating	Fuel	Control Equipment
07	Clarke Detroit Diesel – Allison Inc. Model PDFP-06YT 2505F Serial Number U677821 Area Fire Pump Engine	1998	120 hp	Diesel	None

APPLICABLE REGULATIONS:

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

1. Operating Limitations:

- a. The permittee must comply with the requirements in Table 2d to 40 CFR 63, Subpart ZZZZ and the operating limitations in Table 2b to 40 CFR 63, Subpart ZZZZ that apply [40 CFR 63.6603(a)].
 - i. The permittee must meet the following requirements, except during periods of startup: [40 CFR 63, Subpart ZZZZ, Table 2d(4)]
 1. Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; [40 CFR 63, Subpart ZZZZ, Table 2d(4)(a)]
 2. Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and [40 CFR 63, Subpart ZZZZ, Table 2d(4)(b)]
 3. Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary. [40 CFR 63, Subpart ZZZZ, Table 2d(4)(c)]
 - ii. During periods of startup, the permittee must minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [40 CFR 63, Subpart ZZZZ, Table 2d(4)]
 - iii. Sources have the option to utilize an oil analysis program as described in 40 CFR 63.6625(i) in order to extend the specified oil change requirement in Table 2d of 40 CFR 63, Subpart ZZZZ. [40 CFR 63, Subpart ZZZZ, Table 2d, Footnote 1]
 - iv. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the

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

- schedule required in table 2d of 40 CFR 63, Subpart ZZZZ, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, state, or local law has abated. Sources must report any failure to perform the management practice on the schedule required and the Federal, state or local law under which the risk was deemed unacceptable. [40 CFR 63, Subpart ZZZZ, Table 2d, Footnote 2]
- b. If the emergency CI stationary RICE operates for the purpose specified in 40 CFR 63.6640(f)(4)(ii), the permittee must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel. [40 CFR 63.6604(b)]
 - c. The permittee shall be in compliance with the emission limitations, operating limitations, and other applicable requirements of 40 CFR 63, Subpart ZZZZ at all times [40 CFR 63.6605(a)].
 - d. At all times, the permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source [40 CFR 63.6605(b)].
 - e. The permittee shall operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions [40 CFR 63.6625(e)]
 - f. The permittee shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to 40 CFR 63, Subpart ZZZZ apply [40 CFR 63.6625(h)].
 - g. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d to 40 CFR 63, Subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Tables 2c and 2d to 40 CFR 63, Subpart ZZZZ. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water

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

content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the permittee is not required to change the oil and filter. If any of the limits are exceeded, the permittee shall change the oil and filter within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the permittee shall change the oil and filter within 2 business days or before commencing operation, whichever is later. The permittee shall keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil and filter changes for the engine. The analysis program shall be part of the maintenance plan for the engine. [40 CFR 63.6625(i)]

- h. The permittee shall operate the emergency stationary RICE according to the requirements in 40 CFR 63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE under 40 CFR 63, Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 63.6640(f)(1) through (4), is prohibited. If the engine is not operated according to the requirements in 40 CFR 63.6640(f)(1) through (4), the engine will not be considered an emergency engine under 40 CFR 63, Subpart ZZZZ and shall meet all requirements for non-emergency engines. [40 CFR 63.6640(f)]
 - i. There is no time limit on the use of emergency stationary RICE in emergency situations. [40 CFR 63.6640(f)(1)]
 - ii. The permittee may operate the emergency stationary RICE for the purpose specified in 40 CFR 63.6640(f)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 63.6640(f)(3) and (4) counts as part of the 100 hours per calendar year allowed by 40 CFR 63.6640(f)(2). Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [40 CFR 63.6640(f)(2) and 63.6640(f)(2)(i)]
 - iii. The emergency stationary RICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 63.6640(f)(2). Except as provided in 40 CFR 63.6640(f)(4)(i) and (ii), the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [40 CFR 63.6640(f)(4) and 63.6640(f)(4)(ii)]

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

1. The engine is dispatched by the local balancing authority or local transmission and distribution system operator. [40 CFR 63.6640(f)(4)(ii)(A)]
2. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. [40 CFR 63.6640(f)(4)(ii)(B)]
3. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. [40 CFR 63.6640(f)(4)(ii)(C)]
4. The power is provided only to the facility itself or to support the local transmission and distribution system. [40 CFR 63.6640(f)(4)(ii)(D)]
5. The permittee identifies and records the entity that dispatches the engine and specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the permittee. [40 CFR 63.6640(f)(4)(ii)(E)]

2. Emission Limitations:

See **Section D – Source Emission Limitations and Testing Requirements.**

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the Cabinet [401 KAR 50:045, Section 4].

4. Specific Monitoring Requirements:

- a. The permittee shall install a non-resettable hour meter if one is not already installed. [40 CFR 63.6625(f)]
- b. The permittee shall monitor the amount diesel (Mgal) usage on a monthly basis [401 KAR 52:030, Section 10].
- c. The permittee shall monitor hours of operation on a monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall keep records of each notification and report that is submitted to comply with 40 CFR 63, Subpart ZZZZ, the occurrence and duration (in hours) of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment, records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii), records of all required maintenance performed on the air pollution control and monitoring equipment, and records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR 60.6655(a)]

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

- b. The permittee shall keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to the permittee's own maintenance plan for the engine. [40 CFR 63.6655(e)]
- c. If the engine does not meet the standards applicable to non-emergency engines (see Table 2d to 40 CFR 63, Subpart ZZZZ), then the permittee shall keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee shall document how many hours are spent for emergency operation; including, what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for demand respond, records shall be kept of the notification of the emergency situation, and the time the engine was operated as part of demand response. [40 CFR 63.6655(f) and 63.6655(f)(1)]
- d. The records must be in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1). [40 CFR 63.6660(a)]
- e. As specified in 40 CFR 63.10(b)(1), the permittee must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [40 CFR 63.6660(b)]
- f. The permittee must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). [40 CFR 63.6660(c)]

6. Specific Reporting Requirements:

- a. The permittee shall report each instance in which the operating limitations in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to 40 CFR 63, Subpart ZZZZ were not met. These instances are deviations from the emission and operating limitation in 40 CFR 63 Subpart ZZZZ and shall be reported according to the requirements in 40 CFR 63.6650. [40 CFR 63.6640(b)]
- b. The permittee shall report each instance in which the requirements of Table 8 to 40 CFR 63 Subpart ZZZZ, that apply, have not been met [40 CFR 63.6640(e)]. The notifications listed in 40 CFR 63.7(b) and (c), 40 CFR 63.8(e), (f)(4) and (f)(6), 40 CFR 63.9(b) through (e), and (g) are not required. [40 CFR 63.6645(a)(5)]
- c. The permittee shall submit each report in Table 7 to 40 CFR 63 ZZZZ, as applicable, and according to 40 CFR 63.6650. [40 CFR 63.6650(a)]
- d. If the emergency stationary RICE operates for the purpose specified in 40 CFR 63.6640(f)(4)(ii), the permittee must submit an annual report according to the requirements in 40 CFR 63.6640(h)(1) through (3). [40 CFR 63.6640(h)]
- e. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for additional requirements.

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

Flare: Groth Corp. Model 8391

Rated Capacity: 24,000 cubic feet/hr @ 750 Btu/cubic ft. anaerobic lagoon biogas

Construction Commenced: 1998

APPLICABLE REGULATIONS:

401 KAR 63:015, Flares

1. Operating Limitations:

None

2. Emission Limitations:

- a. The permittee shall not cause, suffer, or allow the emission into the open air of particulate matter from the flare which is greater than twenty (20) percent opacity for more than three (3) minutes in any one (1) day. [401 KAR 63:015, Section 3]

Compliance Demonstration Method:

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

- b. See Section D – Source Emission Limitations and Testing Requirements.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. The permittee shall monitor source wide monthly records of biogas burned. [401 KAR 52:030, Section 10]
- b. The permittee shall conduct visual observations of the flare on a monthly basis. If visible emissions are observed, the permittee shall perform an U. S. EPA Reference Method 9 and keep records of the results. [401 KAR 52:030, Section 10]

5. Specific Record keeping Requirements:

- a. The permittee shall maintain a log of source-wide biogas consumption on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain records of all routine and non-routine maintenance activities performed at the flare. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

See Section F – Monitoring, Recordkeeping, and Reporting Requirements for additional requirements.

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

Emissions Units 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, & 20 Grain Operations

Description:

EU 09 Truck Unloading, EU 10 Auger Conveyor to Silo & EU 11 Silo Transfer Conveyor
Equipment Capacity 175 tons/hr each
Controls: Enclosures
Constructed Commenced: 2003

EU 12 Silo #1, EU 13 Silo #2, EU 14 Silo #3 & EU 15 Silo #4
Equipment Capacity 125 tons/hr each
Controls: Enclosures
Constructed Commenced: 2003

EU 16 Auger Conveyor from Silo #1, EU 17 Auger Conveyor from Silo #2, EU 18 Auger
Conveyor from Silo #3, EU 19 Auger Conveyor from Silo #4
Equipment Capacity 175 tons/hr each
Controls: Enclosures
Constructed Commenced: 2003

EU 20 Truck Loadout
Equipment Capacity 175 tons/hr each
Controls: Enclosures
Constructed Commenced: 2003

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations

1. Operating Limitations:

Grain throughput shall not exceed 900,000 tons of feed per year for feed transfer and storage.
[To preclude 401 KAR 52:020]

Compliance Demonstration Method:

See **4. Specific Monitoring Requirements (a)** and **5. Specific Recordkeeping Requirements (c)**.

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:

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

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

- i. For process weight rates ≤ 0.50 ton/hour: $E = 2.34$
- ii. For process weight rates > 0.50 ton/hr and ≤ 30 tons/hr: $E = 3.59P^{0.62}$

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

iii. For process weight rates > 30 tons/hr: $E = 17.31P^{0.16}$

Where: E = rate of emission in lb/hr, and

P = process weight rate in tons/hr.

Compliance Demonstration Method:

1. This unit is assumed to be in compliance with the applicable 401 KAR 59:010 PM limitations based on the emission factor provided in the application.
2. See **7. Specific Control Equipment Operating Conditions.**

c. See **Section D – Source Emission Limitations and Testing Requirements.**

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. The permittee shall monitor the pounds of ingredients processed and hours of operation on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall perform a qualitative visual observation of the opacity of emissions from each stack every seven days while the affected facility is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of the pounds of feed processed on a monthly and 12-month rolling total basis. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain records of the qualitative visual observations made, including the date, time, initials of observer, whether any emissions were observed (yes/no), any corrective action taken, and any U.S. EPA Reference Method 9 readings conducted. [401 KAR 52:030, Section 10]
- c. The permittee shall maintain records regarding the maintenance of the control equipment. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for additional requirements.

7. Specific Control Equipment Operating Conditions:

- a. The enclosures used to control emissions shall be operated to maintain compliance with applicable requirements in accordance with manufacturer's specifications and standard operating practices. [401 KAR 50:055, Section 5]

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

- b. See Section E – Source Control Equipment Requirements.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emissions Unit: 21****Plant Roadways****Description:**

Paved plant roadways

APPLICABLE REGULATIONS:

401 KAR 63:010, Fugitive emissions

1. Operation Limitations:

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

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

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

2. Emission Limitations:

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

- a. More than five (5) minutes of emission time during any sixty (60) minute observation period; or
- b. More than twenty (20) minutes of emission time during any twenty-four (24) hour period.

Compliance Demonstration Method:

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

3. Testing Requirements:

Performance testing shall be conducted if required by the Cabinet. [401 KAR 50:045, Section 1]

4. Specific Monitoring Requirements:

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

5. Specific Record Keeping Requirements:

- a. The permittee shall maintain a log of the reasonable precautions taken to prevent particulate matter from becoming airborne, on a daily basis. Notation of the operating status, down-time, or relevant weather conditions are acceptable for entry to the log. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain a log of the following: [401 KAR 52:030, Section 10]
 - i. Qualitative fugitive emissions observations conducted including the date, time, initials of observer, whether any fugitive dust emissions were observed;
 - ii. Any Reference Method 22 performed, and field records identified in Reference Method 22;
 - iii. Any corrective action taken and the results.

6. Specific Reporting Requirements:

See Section F – Monitoring, Recordkeeping Reporting Requirements.

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

7. Specific Control Equipment Operating Conditions:

- a. Water spray must administered to the plant road ways to comply with 401 KAR 63:010, shall be done in accordance with the standard operating practices to be in compliance with applicable requirements. [401 KAR 50:055, Section 2]
- b. See **Section E – Source Control Equipment Requirements.**

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

Emissions Unit **EU23 Peracetic Acid (PAA) Intervention**

Description:

Continuous Microbial intervention Tanks (5)

Maximum Operation: 5 days / wk., 52 wk./yr. 4160 hrs./yr.

Construction Date: 2026

Maximum Output: 594 Mgal/yr

APPLICABLE REGULATIONS:

N/A

1. Operating Limitations:

N/A

2. Emission Limitations:

N/A

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

The permittee shall monitor the VOC emissions and usage of the PAA solution (in gallons) on monthly basis[401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the VOC emissions and usage of the PAA solution (in gallons) on monthly basis. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

See Section F – Monitoring, Recordkeeping Reporting Requirements.

SECTION C - INSIGNIFICANT ACTIVITIES

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

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. RTU #1 (Roof Top Unit Space Heaters)0.27 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
2. RTU #2 (Roof Top Unit Space Heaters)0.27 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
3. RTU #3 (Roof Top Unit Space Heaters)0.404 MMBtu/hr 04 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
4. RTU #4 (Roof Top Unit Space Heaters) 0.27 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
5. RTU #5 (Roof Top Unit Space Heaters) 0.27 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
6. RTU #6 (Roof Top Unit Space Heaters) 0.404 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
7. RTU #7 (Roof Top Unit Space Heaters) 0.404 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
8. RTU #8 (Roof Top Unit Space Heaters) 0.404 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
9. RTU #9 (Roof Top Unit Space Heaters) 0.404 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
10. RTU #10 (Roof Top Unit Space Heaters) 0.404 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
11. RTU #11 (Roof Top Unit Space Heaters)0.18 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
12. RTU #12 (Roof Top Unit Space Heaters)0.39 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
13. RTU #13 (Roof Top Unit Space Heaters)0.18 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
14. RTU #14 (Roof Top Unit Space Heaters)0.195 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
15. RTU #15 (Roof Top Unit Space Heaters) 0.195 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
16. RTU #16 (Roof Top Unit Space Heaters) 0.195 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
17. RTU #17 (Roof Top Unit Space Heaters) 0.195 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
18. MUA #1 (Make up Air) 3.125 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020

SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)

<u>Description</u>	<u>Generally Applicable Regulation</u>
19. MUA #2 (Make up Air) 3.125 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
20. MUA #3 (Make up Air) 3.125 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
21. MUA #4 (Make up Air) 3.125 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
22. MUA #5 (Make up Air) 0.233 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
23. MUA #6 (Make up Air) 0.27 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
24. MUA #365 (Make up Air) 4.93 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
25. MUA #370 (Make up Air) 4.108 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
26. MUA #375 (Make up Air) 1.232 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
27. MUA #380 (Make up Air) 1.232 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
28. MUA #385 (Make up Air) 1.232 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
29. MUA #390 (Make up Air) 1.232 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
30. MUA #395 (Make up Air) 1.232 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
31. MUA #400 (Make up Air) 1.232 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
32. KLEEN AIR #1 (nh3 107.4 Ton) 45,000 cfm 2.93 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
33. KLEEN AIR #2 (nh3 107.4 Ton) 45,000 cfm 2.93 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
34. KLEEN AIR #3 (nh3 107.4 Ton) 45,000 cfm 2.93 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
35. KLEEN AIR #4 (nh3 107.4 Ton) 45,000 cfm 2.93 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
36. HV-01 2.33 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
37. HV-02 1.434 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
38. OFFALL HV-3 2.259 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
39. ICP-1 LIVE RECEIVING 0.54 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
40. ICP-2 LIVE RECEIVING 0.54 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
41. VAPORIZER/ MIXER 0.88 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020

SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)

<u>Description</u>	<u>Generally Applicable Regulation</u>
42. GAS Heater in Dry Receiving 0.2 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
43. Gas Heater in Offal DAF Room 0.249 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
44. Gas Clothes Dryer Supply East 0.001MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
45. Gas Clothes Dryer Supply West 0.001 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
46. RTU PBX 0.18 MMBtu/hr	401 KAR 59:010 and 401 KAR 63:020
47. Cleaning and Sanitizing Chemical Usage Fugitive Emissions	N/A
48. Cooling Condensers	N/A
49. Live Hang W/CAS System	401 KAR 59:010 and 401 KAR 63:020
50. Bulk PAA Tanks (5,000 & 550-gal tanks)	401 KAR 63:020
51. Cleaner/Sanitizer Tanks (2,500 & 660 gal. tanks)	N/A
52. Boiler Fuel Tank (1,500 gal)	N/A
53. Diesel Tank 1 (10,000 gal)	N/A
54. Disel Tank 2 (12,000 gal)	N/A
55. Diesel Tank 3 (5,000 gal)	N/A
56. Fire Pump Tank (174 gal)	N/A

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. PM, PM₁₀, opacity, and SO₂ 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. The permittee shall not exceed 90 tons per year of PM₁₀ emissions source-wide, on a 12-month rolling basis. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

The permittee shall demonstrate compliance with the source-wide emission limit each month by adding the current month’s emissions to the previous eleven (11) month’s emissions.

All emission units under Section B - Emission Points, Emission Units, Applicable Regulations and Operating Conditions, **except for Emission Unit 21**, shall be monitored for particulate matter less than ten microns, on a monthly basis.

The following equation shall be used for calculating PM₁₀ emissions:

$$PM_{10} \text{ Emissions } \left(\frac{\text{tons}}{\text{month}} \right) = \sum \frac{E.F. \left(\frac{\text{lb}}{\text{SCC unit}} \right) \times P \left(\frac{\text{SCC unit}}{\text{Month}} \right)}{2000 \left(\frac{\text{lb}}{\text{ton}} \right)} + \frac{PTE_{IA}}{12} \text{ where;}$$

Source	Emission Factor	Process/ Operating Rate
Generic	$\frac{\text{lb}}{\text{SCC unit}}$	$\frac{\text{SCC unit}}{\text{month}}$
Natural Gas (source-wide) Lagoon Gas (source-wide)	$\frac{\text{lb}}{\text{MMscf}}$	$\frac{\text{MMscf}}{\text{month}}$
Propane Diesel (source-wide)	$\frac{\text{lb}}{\text{Mgal}}$	$\frac{\text{Mgal}}{\text{month}}$
Process Operation	$\frac{\text{lb}}{\text{ton}}$	$\frac{\text{tons}}{\text{month}}$

PTE_{IA} = PM₁₀ Potential to Emit of cooling condensers

The permittee may choose to demonstrate compliance either through the use of performance test results, by using AP-42 Emission Factors, or a combination of both.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

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

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

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

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

in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.

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

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

- f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, London Regional Office, 875 S.Main St., London, KY 42602.
10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within 30 days of the date the Kentucky Emissions Inventory System (KYEIS) emissions survey is mailed to the permittee. If a KYEIS emissions survey is not mailed to the permittee, then the permittee shall comply with all other emissions reporting requirements in this permit.
 11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
 - a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - (1) The size and location of both the original and replacement units; and
 - (2) Any resulting change in emissions;
 - b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
 - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
 - d. The replacement unit shall comply with all applicable requirements; and
 - e. The source shall notify Regional office of all shutdowns and start-ups.
 - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
 - (1) Re-install the original unit and remove or dismantle the replacement unit; or
 - (2) Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

- a. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030, Section 3(1)(b), and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a-2 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a-5 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030, Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - (1) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030, Section 12;
 - (2) The Cabinet or the United States Environmental Protection Agency (U. S. EPA) determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - (3) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.
- d. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a- 6 and 7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030, Section 3(1)(c)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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

2. Permit Expiration and Reapplication Requirements

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

3. Permit Revisions

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

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

No construction authorized by this permit (F-25-043).

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

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

6. Acid Rain Program Requirements

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

7. Emergency Provisions

- a. Pursuant to 401 KAR 52:030, Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - (1) An emergency occurred and the permittee can identify the cause of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - (4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.

SECTION G - GENERAL PROVISIONS (CONTINUED)

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

SECTION H - ALTERNATE OPERATING SCENARIOS

N/A

SECTION I - COMPLIANCE SCHEDULE

N/A