AIR QUALITY PERMIT
Issued under 401 KAR 52:030

Permittee Name: MPLX Terminals LLC
Mailing Address: 539 South Main Street
Findlay, OH 45840

Source Name: MPLX Terminals LLC – Lexington Terminal
Mailing Address: 539 South Main Street,
Findlay, OH 45840

Source Location: 1770 Old Frankfort Pike,
Lexington, KY 40504

Permit ID: F-22-005
Agency Interest #: 1076
Activity ID: APE20210001
Review Type: Conditional Major, Operating
Source ID: 21-067-00031

Regional Office: Frankfort Regional Office
300 Sower Blvd, 1st Floor
Frankfort, KY 40601
(502) 564-3358
County: Fayette

Application Complete Date: March 16, 2022
Issuance Date: 
Expiration Date:

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

Version 4/1/2022
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<td>APE20210001</td>
<td>3/16/2022</td>
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*Version 9/4/2019*
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

**Storage Tanks:**

<table>
<thead>
<tr>
<th>EP No.</th>
<th>Tank No.</th>
<th>Contents Description</th>
<th>Capacity (gal)</th>
<th>Tank Type</th>
<th>Date Commenced</th>
<th>Applicable Rules or Exemptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>825</td>
<td>Gasoline</td>
<td>1,608,810</td>
<td>Internal floating roof</td>
<td>1963</td>
<td>40 CFR 63, Subpart BBBBBBB</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ethanol</td>
<td>1,608,810</td>
<td>Internal floating roof</td>
<td>1963</td>
<td>401 KAR 63:020</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Distillate/Kerosene/Diesel (RVP &lt; 27.6 kPa (4 psia))</td>
<td>1,608,810</td>
<td>Internal floating roof</td>
<td>1963</td>
<td>401 KAR 63:020</td>
</tr>
<tr>
<td>002</td>
<td>827</td>
<td>Gasoline</td>
<td>1,692,474</td>
<td>Internal floating roof</td>
<td>1963</td>
<td>40 CFR 63, Subpart BBBBBBB</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ethanol</td>
<td>1,692,474</td>
<td>Internal floating roof</td>
<td>1963</td>
<td>401 KAR 63:020</td>
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<td>Distillate/Kerosene/Diesel (RVP &lt; 27.6 kPa (4 psia))</td>
<td>1,692,474</td>
<td>Internal floating roof</td>
<td>1963</td>
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<td>826</td>
<td>Gasoline</td>
<td>978,474</td>
<td>Internal floating roof</td>
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<td>40 CFR 63, Subpart BBBBBBB</td>
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<td>Ethanol</td>
<td>978,474</td>
<td>Internal floating roof</td>
<td>1963</td>
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<td>978,474</td>
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</tr>
</tbody>
</table>
**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**

<table>
<thead>
<tr>
<th>EP</th>
<th>Tank No.</th>
<th>Contents Description</th>
<th>Capacity (gal)</th>
<th>Tank Type</th>
<th>Date Commenced</th>
<th>Applicable Rules or Exemptions</th>
</tr>
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<tbody>
<tr>
<td>008</td>
<td>832</td>
<td>Gasoline 1,617,588</td>
<td>Internal floating roof</td>
<td>1989</td>
<td>Maximum tvp &lt; 76.6 kPa (11.1 psi) – subject to 60.112b(a)(1) controls</td>
<td>40 CFR 63, Subpart BBBBBB</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ethanol 1,617,588</td>
<td>Internal floating roof</td>
<td>1989</td>
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<td>Distillate/ Kerosene/ Diesel (RVP &lt; 27.6 kPa (4 psia)) 1,617,588</td>
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<td>401 KAR 63:020</td>
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<tr>
<td>021</td>
<td>835</td>
<td>Gasoline 462,000</td>
<td>Internal floating roof</td>
<td>2006</td>
<td>Maximum tvp &lt; 76.6 kPa (11.1 psi) – subject to 60.112b(a)(1) controls</td>
<td>40 CFR 63, Subpart BBBBBB</td>
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<tr>
<td></td>
<td></td>
<td>Ethanol 462,000</td>
<td>Internal floating roof</td>
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</table>

**APPLICABLE REGULATIONS:**

401 KAR 60:005, Section 2(2)(r) 40 C.F.R. 60.110b through 60.117b (Subpart Kb), Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

401 KAR 63:002, Section 2(4)(cccc) 40 C.F.R. 63.11080 through 63.11100, Tables 1 through 3 (Subpart BBBBBB), National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.

STATE-ORIGIN REQUIREMENT:

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

NON-APPLICABLE REQUIREMENTS:

401 KAR 59:050, New storage vessels for petroleum liquids

401 KAR 61:050, Existing storage vessels for petroleum liquids

401 KAR 60:005, Section 2(2)(p) 40 C.F.R. 60.110 through 60.113 (Subpart K), Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978

401 KAR 60:005, Section 2(2)(q) 40 C.F.R. 60.110a through 60.115a (Subpart Ka), Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984

1. Operating Limitations:

Emission Point 008 (Tank 832) and Emission Point 021 (Tank 835) when storing Gasoline or Ethanol

a. Pursuant to 40 CFR 60.112(b)(a), the permittee of each storage vessel either with a design capacity greater than or equal to 151 m³ (39,890 gallons) containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 5.2 kPa (0.754 psi) but less than 76.6 kPa (11.1 psi) or with a design capacity greater than or equal to 75 m³ but less than 151 m³ containing a VOL that, as stored, has a maximum true vapor pressure equal to or greater than 27.6 kPa (4.00 psi) but less than 76.6 kPa, shall equip each storage vessel with the following:

(1) The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.

(2) Each internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof:

i. A foam- or liquid-filled seal mounted in contact with the liquid (liquid-mounted seal). A liquid-mounted seal means a foam- or liquid-filled seal mounted in contact with the liquid between the wall of the storage vessel and the floating roof continuously around the circumference of the tank

ii. Two seals mounted one above the other so that each forms a continuous
closure that completely covers the space between the wall of the storage vessel and the edge of the internal floating roof. The lower seal may be vapor-mounted, but both must be continuous.

iii. A mechanical shoe seal. A mechanical shoe seal is a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and is connected by braces to the floating roof. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

(3) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

(4) Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.

(5) Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.

(6) Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended setting.

(7) Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.

(8) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

(9) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

Emission Points 001 (Tank 825), 002 (Tank 827), 004 (Tank 826), 008 (Tank 832) and 021 (Tank 835) when storing Gasoline

b. Pursuant to 40 CFR 63.11087(a) and Table 1 to 40 CFR 63, Subpart BBBBBB, for the gasoline storage tanks with a capacity greater than 75 m³ (19,810 gallons) the permittee shall equip each internal floating roof gasoline storage tank according to the requirements in 40 CFR 60.112b(a)(1) of this chapter, except for the secondary seal requirements under 40 CFR 60.112b(a)(1)(ii)(B) and the requirements in 40 CFR 60.112b(a)(1)(iv) through (ix).

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

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

   Compliance Demonstration Method:
   a. See Section D.3, Source Emission Limitations, Compliance Demonstration Method.
   b. Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020.

3. Testing Requirements:
   a. Pursuant to 40 CFR 63.11092(e)(1), the permittee must perform inspections of the internal floating roof system according to the requirements of 40 CFR 60.113b(a) if complying with 40 CFR 60.112b(a)(1) for tanks storing Gasoline.
   b. Pursuant to 401 KAR 50:045, Section 1, testing shall be conducted at such times as may be requested by the Cabinet.

4. Specific Monitoring Requirements:
   Emission Point 008 (Tank 832) and Emission Point 021 (Tank 835) when storing Gasoline or Ethanol
   Pursuant to 40 CFR 60.113b(a), after installing the control equipment required to meet 40 CFR 60.112b(a)(1) (permanently affixed roof and internal floating roof), the permittee shall do the following:
   a. Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with volatile organic liquid (VOL). If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the permittee shall repair the items before filling the storage vessel.
   b. For vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the permittee shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in 40 CFR 60.112b(a) cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in 40 CFR 60.115b(a)(3). Such a request for an extension must document that alternate storage
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.
c. For vessels equipped with a double-seal system as specified in 40 CFR 60.112b(a)(1)(ii)(B):
   (1) Visually inspect the vessel as specified in 40 CFR 60.113b(a)(4) at least every 5 years; or
   (2) Visually inspect the vessel as specified in 40 CFR 60.113b(a)(2).
d. Visually inspect the internal floating roof, the primary seal, the secondary seal (if any is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the permittee shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in 40 CFR 60.113b(a)(2) and (a)(3)(ii) and at intervals no greater than 5 years in the case of vessels specified in 40 CFR 60.113b(a)(3)(i).
e. Notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by 40 CFR 60.113b(a)(1) and (a)(4) to afford the Administrator the opportunity to have an observer present. If the inspection required by 40 CFR 60.113b(a)(2) is not planned and the permittee could not have known about the inspection 30 days in advance of refilling the tank, the owner or operator shall notify the Administrator at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by express mail so that it is received by the Administrator at least 7 days prior to the refilling.
f. Refer to 5. Specific Recordkeeping Requirements.

5. Specific Recordkeeping Requirements:
   Emission Point 008 (Tank 832) and Emission Point 021 (Tank 835)
a. Pursuant to 401 KAR 52:030, Section 10, for each tank the permittee shall maintain a record of the liquid stored, the period of storage, and the maximum true vapor pressure of that liquid during the respective storage period. Such records shall be provided to the Division upon request.
b. Pursuant to 40 CFR 60.116b(a) and (b), the permittee shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. These records shall be maintained for the life of the vessel.

   Emission Point 008 (Tank 832) and Emission Point 021 (Tank 835) when storing Gasoline or Ethanol
c. Pursuant to 40 CFR 60.116b(c), for each storage vessel either with a design capacity greater than or equal to 151 m³ (39,890 gallons) storing a liquid with a maximum true vapor pressure greater than or equal to 3.5 kPa (0.51 psi) or with a design capacity greater
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

than or equal to 75 m$^3$ (19,810 gallons) but less than 151 m$^3$ storing a liquid with a maximum true vapor pressure greater than or equal to 15.0 kPa (2.18 psi), the permittee shall maintain a record of the VOL stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period.

d. Pursuant to 40 CFR 60.115b(a)(2), the permittee shall keep a record of each inspection performed as required by 40 CFR 60.113b(a)(1), (a)(2), (a)(3), and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

All Storage Tanks Regardless of the Stored Contents
e. See Section D.3 and Section F.2 for further requirements.

Emission Points 001 (Tank 825), 002 (Tank 827), 004 (Tank 826), 008 (Tank 832) and 021 (Tank 835) when storing Gasoline

f. Pursuant to 40 CFR 63.11094(a), the permittee of a bulk gasoline terminal or pipeline breakout station whose storage vessels are subject to the provisions of 40 CFR 63, Subpart BBBBBB shall keep records as specified in 40 CFR 60.115b if complying with options 2(a), 2(b), or 2(c) in Table 1 to Subpart BBBBBB, except records shall be kept for at least 5 years.

6. Specific Reporting Requirements:
a. Refer to Sections F.5 and F.9.

b. For Tanks 832 and 835 when storing Gasoline or Ethanol, pursuant to 40 CFR 60.115b(a)(3), if any of the conditions described in 40 CFR 60.113b(a)(2) are detected during the annual visual inspection required by 40 CFR 60.113b(a)(2), a report shall be furnished to the Division within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.

c. For Tanks 832 and 835 when storing Gasoline or Ethanol, pursuant to 40 CFR 60.115b(a)(4), after each inspection required by 40 CFR 60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in 40 CFR 60.113b(a)(3)(iii), a report shall be furnished to the Division within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of 40 CFR 60.112b(a)(1) or 40 CFR 60.113b(a)(3) and list each repair made.

d. Pursuant to 40 CFR 63.11095(a)(1), if complying with options 2(a), 2(b), or 2(c) in Table 1 to Subpart BBBBBB, the permittee shall submit a semi-annual report containing the information specified in 40 CFR 60.115b(a) for fixed roof and internal floating roof systems.

e. For storage vessels complying with 40 CFR 63.11087(b) after January 10, 2011, the storage vessels Notice of Compliance Status (NOCS) information can be included with the next semi-annual compliance report in lieu of filing a separate NOCS report under 40 CFR 63.11093.
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Tank Truck Loading Racks:

<table>
<thead>
<tr>
<th>Emission Point</th>
<th>007</th>
</tr>
</thead>
</table>
| Description    | Bay 1, commenced 1980  
                 | Bay 2, commenced 1974  
                 | Bay 3, commenced 1974  
                 | Capacity: One truck per 12 minutes (each bay) |
| Loading        | 01 Gasoline Loading  
                 | 02 Distillate / Kerosene / Diesel Loading  
                 | 03 Truck Loading Fugitives  
                 | 04 Vapor Destruction Unit (VDU) Combustion – Gasoline (as portable backup only)  
                 | 05 VDU Combustion – Distillate (as portable backup only) |
| Controls       | **Primary**  
                 | Onsite Vapor Recovery Unit (VRU)  
                 | Carbon Adsorption  
                 | **Backup**  
                 | Portable vapor destruction unit (thermal oxidizer or flare) |

Terminal Fugitive Equipment Leaks:

<table>
<thead>
<tr>
<th>Emission Point</th>
<th>020</th>
</tr>
</thead>
</table>
| Description    | Fugitive equipment leaks from pump seals, valves, connectors, etc.  
                 | Construction Date: 1963  
                 | Controls: None |

APPLICABLE REGULATIONS:
401 KAR 60:005, Section 2(2)(cee) 40 C.F.R. 60.500 through 60.506 (Subpart XX), Standards of Performance for Bulk Gasoline Terminals.

401 KAR 63:002, Section 2(4)(cccc) 40 C.F.R. 63.11080 through 63.11100, Tables 1 through 3 (SubpartBBBBBB), National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities. [Note: Pursuant to 40 CFR 63.11081(i), for any affected source subject to the provisions of 40 CFR 63, SubpartBBBBBB and another Federal rule, the permittee may elect to comply only with the more stringent provisions of the applicable subparts. In this case, the permittee shall comply with 40 CFR 60, Subpart XX].

NON-APPLICABLE REGULATIONS:
401 KAR 59:101, New bulk gasoline plants. This facility is a bulk gasoline storage terminal. The plant receives gasoline via pipeline and dispenses gasoline using tank trucks for outgoing
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

gasoline transfer operations.

401 KAR 61:055, Existing loading facilities at bulk gasoline terminals.

401 KAR 61:056, Existing bulk gasoline plants.

401 KAR 63:002, Section 2(4)(k) 40 C.F.R. 63.420 to 63.429, Table 1 (Subpart R), National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).

1. Operating Limitations:
   a. See Section D.3, Source Emission Limitations.
   b. Pursuant to 40 CFR 60.502(a), each affected facility shall be equipped with a vapor collection system designed to collect the total organic compounds vapors displaced from tank trucks during product loading.
   c. Pursuant to 40 CFR 60.502(d), each vapor collection system shall be designed to prevent any total organic compounds vapors collected at one loading rack from passing to another loading rack.
   d. Pursuant to 40 CFR 60.502(e), loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using the following procedures:
      (1) The permittee shall obtain the vapor tightness documentation described in 40 CFR 60.505(b) for each gasoline tank truck which is to be loaded at the affected facility.
      (2) The permittee shall require the tank identification number to be recorded as each gasoline tank truck is loaded at the affected facility.
      (3) (i) The permittee shall cross-check each tank identification number obtained in 40 CFR 60.502(e)(2) with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded, unless either of the following conditions is maintained:
          (A) If less than an average of one gasoline tank truck per month over the last 26 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed each quarter; or
          (B) If less than an average of one gasoline tank truck per month over the last 52 weeks is loaded without vapor tightness documentation then the documentation cross-check shall be performed semiannually.
          (ii) If either the quarterly or semiannual cross-check provided in 40 CFR 60.502(e)(3)(i)(A) through (B) reveals that these conditions were not maintained, the source must return to biweekly monitoring until such time as these conditions are again met.
      (4) The terminal owner or operator shall notify the owner or operator of each non-vapor-tight gasoline tank truck loaded at the affected facility within 1 week of the documentation cross-check in 40 CFR 60.502(e)(3).
      (5) The terminal owner or operator shall take steps assuring that the non-vapor-tight gasoline tank truck will not be reloaded at the affected facility until vapor tightness documentation for that tank is obtained.
      (6) Alternate procedures to those described in 40 CFR 60.502(e)(1) through (5) for limiting gasoline tank truck loadings may be used upon application to, and approval by, the Administrator.
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

e. Pursuant to 40 CFR 60.502(f), the permittee shall act to assure that loadings of gasoline tank trucks at the affected facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

f. Pursuant to 40 CFR 60.502(g), the permittee shall act to assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck at the affected facility. Examples of actions to accomplish this include training drivers in the hookup procedures and posting visible reminder signs at the affected loading racks.

g. Pursuant to 40 CFR 60.502(h), the vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 mm of water) during product loading. This level is not to be exceeded when measured by the procedures specified in 40 CFR 60.503(d).

h. Pursuant to 40 CFR 60.502(i), no pressure-vacuum vent in the bulk gasoline terminal's vapor collection system shall begin to open at a system pressure less than 4,500 pascals (450 mm of water).

i. Pursuant to 40 CFR 63.11088(a), for bulk gasoline terminal loading rack(s) with a gasoline throughput (total of all racks) of 250,000 gallons per day, or greater, calculated by summing the current day’s throughput, plus the throughput for the previous 364 days, and then dividing that sum by 365, the permittee shall comply to the following requirements from Table 2 of 40 CFR 63, Subpart BBBBBB:

   (1) Equip the loading rack(s) with a vapor collection system designed to collect the TOC vapors displaced from cargo tanks during product loading; and

   (2) Reduce emissions of TOC to less than or equal to 80 milligrams per liter (mg/l) of gasoline loaded into gasoline cargo tanks at the loading rack; and

   (3) Design and operate the vapor collection system to prevent any TOC vapors collected at one loading rack or lane from passing through another loading rack or lane to the atmosphere; and

   (4) Limit the loading of gasoline into gasoline cargo tanks that are vapor tight using the procedures specified in 40 CFR 60.502(e) through (j) of this chapter. For the purposes of this section, the term “tank truck” as used in 40 CFR 60.502(e) through (j) of this chapter means “cargo tank” as defined in 40 CFR 63.11100.

j. Pursuant to 40 CFR 63.11088(a), for bulk gasoline terminal loading rack(s) with a gasoline throughput (total of all racks) of less than 250,000 gallons per day (calculated by summing the current day’s throughput, plus the throughput for the previous 364 days, and then dividing the sum by 365), the permittee shall comply to the following requirements from Table 2 of 40 CFR 63, Subpart BBBBBB:

   (1) Use submerged filling with a submerged fill pipe that is not more than 6 inches from the bottom of the cargo tank; and

   (2) Make records available within 24 hours of a request by the Administrator to document gasoline throughput.

k. Pursuant to 40 CFR 63.11083(c), for an existing affected source (loading rack) that becomes subject to the control requirements in 40 CFR 63, Subpart BBBBBB because of an increase in the daily throughput, as specified in option 1 of Table 2 of 40 CFR 63, Subpart BBBBBB, the permittee must comply with the standards of 40 CFR 63, Subpart BBBBBB no later than 3 years after the affected source becomes subject to the control requirements in 40 CFR 63, Subpart BBBBBB.
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Compliance Demonstration Method:


2. **Emission Limitations:**
   a. Pursuant to 40 CFR 60.502(b), the emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank trucks are not to exceed 35 milligrams of total organic compounds per liter of gasoline loaded.
   b. See Section D.3, Source Emission Limitations for VOC and HAP emission limitations.

Compliance Demonstration Method:

a. Refer to 3. Testing Requirements.
b. See Section D.3, Source Emission Limitations, Compliance Demonstration Method.

3. **Testing Requirements:**
   a. The permittee shall perform subsequent emissions testing no later than five (5) years from the previous performance test accepted by the Division in order to demonstrate continuous compliance with 1. Operating Limitations and 2. Emission Limitations. Testing procedures for VOC emissions from truck loading of gasoline, vapor collection system operations, and pipeline equipment shall be in accordance with 40 CFR 60.503. Tests are required for the backup control devices within six (6) months after use. Alternatively, for the backup control devices, reports of previous testing performed in the last 5 years on the control device at other MPLX facilities may be submitted to the Division within 6 months after use.
   b. Pursuant to 40 CFR 63.11088(d) the permittee must comply with the applicable testing requirements specified in 40 CFR 63.11092(a), (c), (f), and (g).
   c. Refer to Section G.5 for additional testing requirements.

4. **Specific Monitoring Requirements:**
   a. Monitoring of the tank trucks shall be performed in accordance with 40 CFR 60.502(e), (f), and (g). The permittee shall maintain on-site the capability to monitor the delivery tank pressure during a performance test or an inspection, at the request of the Division.
   b. Pursuant to 40 CFR 63.11088(d), the permittee must comply with the applicable monitoring requirements specified in 40 CFR 63.11092 for the loading racks.
   c. Pursuant to 40 CFR 63.11089(a) the permittee shall perform a monthly leak inspection of all equipment in gasoline service, as defined in 40 CFR 63.11100. For this inspection, detection methods incorporating sight, sound, and smell are acceptable.
   d. Pursuant to 40 CFR 60.503(d)(1), the permittee shall determine compliance with the standard in 40 CFR 60.502(h) as follows:

   A pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument), capable of measuring up to 500 mm of water gauge pressure with ±2.5 mm of water precision, shall be calibrated and installed on the terminal's vapor collection system at a pressure tap located as close as possible to the connection with the gasoline tank truck.
e. Pursuant to 40 CFR 63.11092(b), the permittee of a bulk gasoline terminal subject to the provisions of 40 CFR 63, Subpart BBBBBB shall install, calibrate, certify, operate, and maintain, according to the manufacturer’s specifications, a continuous monitoring system (CMS) while gasoline vapors are displaced to the vapor processor systems, as specified in 40 CFR 63.11092(b)(1) through (5), as follows:

(1) Pursuant to 40 CFR 63.11092(b)(1), for each performance test conducted under 40 CFR 63.11092(a)(1), the permittee shall determine a monitored operating parameter value for the vapor processing system using the procedures specified in 40 CFR 63.11092(b)(1)(i) through (v). During the performance test, the permittee shall continuously record the operating parameters as specified in 40 CFR 63.11092(b)(1)(i) through (iv).

(i) Where a carbon adsorption system is used, the permittee shall monitor the operation of the system as specified in 40 CFR 63.11092(b)(1)(i)(A) or (B):

CEMS Option:
(A) A continuous emissions monitoring system (CEMS) capable of measuring organic compound concentration shall be install in the exhaust air stream.

Non-CEMS Option:
(B) As an alternative to 40 CFR 63.11092(b)(1)(i)(A), the permittee may choose to meet the requirements listed in 40 CFR 63.11092(b)(1)(i)(B)(1) and (2):

(1) Carbon adsorption devices shall be monitored as specified in 40 CFR 63.11092(b)(1)(i)(B)(1), (ii), and (iii) as follows:

(i) Vacuum level shall be monitored using a pressure transmitter installed in the vacuum pump suction line, with measurements displayed on a gauge that can be visually observed. Each carbon bed shall be observed during one complete regeneration cycle on each day of operation of the loading rack to determine the maximum vacuum level achieved.

(ii) Conduct annual testing of the carbon activity for the carbon in each carbon bed. Carbon activity shall be tested in accordance with the butane working capacity test of the American Society for Testing and Materials (ASTM) Method D 5228-92, or by another suitable procedure as recommended by the manufacturer.

(iii) Conduct monthly measurements of the carbon bed outlet volatile organic compounds (VOCs) concentration over the last 5 minutes of an adsorption cycle for each carbon bed, documenting the highest measured VOC concentration. Measurement shall be made using a portable analyzer, or a permanently mounted analyzer, in accordance with 40 CFR part 60, Appendix A-7, EPA Method 21 for open-ended lines.

(2) Develop and submit to the Administrator a monitoring and inspection plan that describes the owner or operator’s approach for
meeting the requirements in 40 CFR 63.11092(b)(1)(i)(B)(2)(i) through (v):

(i) The lowest maximum required vacuum level and duration needed to assure regeneration of the carbon beds shall be determined by an engineering analysis or from the manufacturer’s recommendation and shall be documented in the monitoring and inspection plan.

(ii) The permittee shall verify, during each day of operation of the loading rack, the proper valve sequencing, cycle time, gasoline glow, purge air flow, and operating temperatures. Verification shall be through visual observation, or through an automated alarm or shutdown system that monitors system operation. A manual or electronic record of the start and end of a shutdown even may be used.

(iii) The permittee shall perform semi-annual preventive maintenance inspections of the carbon adsorption system, including the automated alarm or shutdown system for those units so equipped, according to the recommendations of the manufacturer of the system.

(iv) The monitoring plan developed under 40 CFR 63.11092(b)(1)(i)(B)(2) shall specify conditions that would be considered malfunctions of the carbon adsorption system during the inspections or automated monitoring performed under 40 CFR 63.11092 (b)(1)(i)(B)(2)(i) through (iii), describe specific corrective actions that will be taken to correct any malfunction, and define what the permittee would consider to be a timely repair for each potential malfunction.

(v) The permittee shall document the maximum vacuum level observed on each carbon bed from each daily inspection and the maximum VOC concentration observed from each carbon bed on each monthly inspection, as well as any system malfunction, as defined in the monitoring and inspection plan, and any activation of the automated alarm or shutdown system with a written entry into a log book or other permanent form of record. Such record shall also include a description of the corrective action taken and whether such corrective actions were taken in a timely manner, as defined in the monitoring and inspection plan, as well as an estimate of the amount of gasoline loaded during the period of the malfunction.

(ii) Where a thermal oxidation system other than a flare is used, the permittee shall monitor the operation of the system as specified in 40 CFR 63.11092(b)(1)(iii)(A) or (B) as follows:

(A) A CPMS capable of measuring temperature shall be installed in the firebox or ductwork immediately downstream from the firebox in a position before any substantial heat exchange occurs.
(B) As an alternative to 40 CFR 63.11092(b)(1)(iii)(A), the permittee may choose to meet the requirements in 40 CFR 63.11092(b)(1)(iii)(B)(1) and (2) as follows:

(1) The presence of a thermal oxidation system pilot flame shall be monitored using a heat-sensing device, such as an ultraviolet beam sensor or a thermocouple, installed in proximity of the pilot light, to indicate the presence of a flame. The heat-sensing device shall send a positive parameter value to indicate that the pilot flame is on, or a negative parameter value to indicate that the pilot flame is off.

(2) Develop and submit to the Administrator a monitoring and inspection plan that describes the owner or operator's approach for meeting the requirements in 40 CFR 63.11092(b)(1)(iii)(B)(2)(i) through (v) as follows:

(i) The thermal oxidation system shall be equipped to automatically prevent gasoline loading operations from beginning at any time that the pilot flame is absent.

(ii) The permittee shall verify, during each day of operation of the loading rack, the proper operation of the assist-air blower and the vapor line valve. Verification shall be through visual observation, or through an automated alarm or shutdown system that monitors system operation. A manual or electronic record of the start and end of a shutdown event may be used.

(iii) The permittee shall perform semi-annual preventive maintenance inspections of the thermal oxidation system, including the automated alarm or shutdown system for those units so equipped, according to the recommendations of the manufacturer of the system.

(iv) The monitoring plan developed under 40 CFR 63.11092(b)(1)(iii)(B)(2) shall specify conditions that would be considered malfunctions of the thermal oxidation system during the inspections or automated monitoring performed under 40 CFR 63.11092(b)(1)(iii)(B)(2)(ii) and (iii), describe specific corrective actions that will be taken to correct any malfunction, and define what the owner or operator would consider to be a timely repair for each potential malfunction.

(v) The permittee shall document any system malfunction, as defined in the monitoring and inspection plan, and any activation of the automated alarm or shutdown system with a written entry into a log book or other permanent form of record. Such record shall also include a description of the corrective action taken and whether such corrective actions were taken in a timely manner, as defined in the monitoring and inspection plan, as well as an estimate of the amount of gasoline loaded during the period of the malfunction.

(iii) Pursuant to 40 CFR 63.11092(b)(1)(iv), monitoring an alternative operating parameter or a parameter of a vapor processing system other than those listed in 40 CFR 63.11092(b)(1)(i) through (iii) will be allowed upon demonstrating
to the Administrator’s satisfaction that the alternative parameter demonstrates continuous compliance with the emission standard in 40 CFR 63.11088(a).

(2) Pursuant to 40 CFR 63.11092(b)(2), where a flare meeting the requirements in 40 CFR 63.11(b) is used, a heat-sensing device, such as an ultraviolet beam sensor or thermocouple, must be installed in proximity to the pilot light to indicate the presence of a flame.

(3) 40 CFR 63.11092(b)(3), determine an operating parameter value based on the parameter data monitored during the performance test, supplemented by engineering assessments and the manufacturer's recommendations.

(4) Pursuant to 40 CFR 63.11092(b)(4), provide for the Administrator's approval the rationale for the selected operating parameter value, monitoring frequency, and averaging time, including data and calculations used to develop the value and a description of why the value, monitoring frequency, and averaging time demonstrate continuous compliance with the emission standard in 40 CFR 63.11088(a).

(5) Pursuant to 40 CFR 63.11092(b)(5), if the permittee chooses to comply with the performance testing alternatives provided under paragraph 40 CFR 63.11092(a)(2) or (a)(3), the monitored operating parameter value may be determined according to the provisions in 40 CFR 63.11092(b)(5)(i) or (ii).
   i. Monitor an operating parameter that has been approved by the Administrator and is specified in the current enforceable operating permit. At the time that the Administrator requires a new performance test, the permittee must determine the monitored operating parameter value according to the requirements specified in 40 CFR 63.11092(b).
   ii. Determine an operating parameter value based on engineering assessment and the manufacturer's recommendation and submit the information specified in 40 CFR 63.11092(b)(4) for approval by the Administrator. At the time that the Administrator requires a new performance test, the permittee must determine the monitored operating parameter value according to the requirements specified in 40 CFR 60.11092(b).

f. The permittee of a bulk gasoline terminal subject to the provisions of 40 CFR 63, Subpart BBBBBB shall comply with the requirements in 40 CFR 63.11092(d)(1) through (4) as follows:
   (1) Operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the operating parameter value for the parameters described in 40 CFR 63.11092(b)(1).
   (2) In cases where an alternative parameter pursuant to 40 CFR 63.11092(b)(1)(iv) or (b)(5)(i) is approved, each owner or operator shall operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the alternative operating parameter value.
   (3) Operation of the vapor processing system in a manner exceeding or going below the operating parameter value, as appropriate, shall constitute a violation of the emission standard in 40 CFR 63.11088(a), except as specified in 40 CFR 63.11092(d)(4).
   (4) For the monitoring and inspection, as required under 40 CFR 63.11092(b)(1)(B)(2) and (b)(1)(iii)(B)(2), malfunctions that are discovered shall not constitute a violation of the emission standard in 40 CFR 63.11088(a) if corrective actions as described in the monitoring and inspection plan are followed. The permittee shall:
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

i. Initiate corrective action to determine the cause of the problem within 1 hour;
ii. Initiate corrective action to fix the problem within 24 hours;
iii. Complete all corrective actions needed to fix the problem as soon as practicable consistent with good air pollution control practices for minimizing emissions;
iv. Minimize periods of start-up, shutdown, or malfunction; and
v. Take any necessary corrective actions to restore normal operation and prevent the recurrence of the cause of the problem.

5. Specific Recordkeeping Requirements:
   a. Pursuant to 40 CFR 60.505(a), the tank truck vapor tightness documentation required under 40 CFR 60.502(e)(1) shall be kept on file at the terminal in a permanent form available for inspection.
   b. Pursuant to 40 CFR 60.505(b), the documentation file for each gasoline tank truck shall be updated at least once per year to reflect current test results as determined by Method 27. This documentation shall include, as a minimum, the following information:
      (1) Test title: Gasoline Delivery Tank Pressure Test - EPA Reference Method 27,
      (2) Tank owner and address,
      (3) Tank identification number,
      (4) Testing location,
      (5) Date of test,
      (6) Tester name and signature,
      (7) Witnessing inspector, if any: name, signature, and affiliation,
      (8) Test results: Actual pressure change in 5 minutes, mm of water (average for 2 runs).
   c. Pursuant to 40 CFR 60.505(c), a record of each monthly leak inspection required under 40 CFR 60.502(j) shall be kept on file at the terminal for at least 2 years. Inspection records shall include, as a minimum, the following information:
      (1) Date of inspection,
      (2) Findings (may indicate no leaks discovered; or location, nature, and severity of each leak),
      (3) Leak determination method,
      (4) Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days),
      (5) Inspector name and signature.
   d. Pursuant to 40 CFR 60.505(d), the terminal owner or operator shall keep documentation of all notifications required under 40 CFR 60.502(e)(4) on file at the terminal for at least 2 years.
   e. Pursuant to 40 CFR 60.505(e), as an alternative to keeping records at the terminal of each gasoline cargo tank test result as required in 40 CFR 60.505(a), (c), and (d), the permittee may comply with the requirements in either 40 CFR 60.505(e)(1) or (2) as follows:
      (1) An electronic copy of each record is instantly available at the terminal.
         i. The copy of each record in 40 CFR 60.505(e)(1) is an exact duplicate image of the original paper record with certifying signatures.
         ii. The permitting authority is notified in writing that each terminal using this alternative is in compliance with 40 CFR 60.505(e)(1).
      (2) For facilities that utilize a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading (e.g.,
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

via a card lock-out system), a copy of the documentation is made available (e.g., via facsimile) for inspection by permitting authority representatives during the course of a site visit, or within a mutually agreeable time frame.

i. The copy of each record in 40 CFR 60.505(e)(2) is an exact duplicate image of the original paper record with certifying signatures.

ii. The permitting authority is notified in writing that each terminal using this alternative is in compliance with 40 CFR 60.505(e)(2).

f. Pursuant to 40 CFR 60.505(f), the permittee shall keep records of all replacements or additions of components performed on an existing vapor processing system for at least 3 years.

g. The permittee shall retain a copy of the most recent 40 CFR 60, Subpart XX performance test report for each control device used for compliance with the rule.

h. The permittee shall record and maintain monthly records of leak inspections performed during the loading of gasoline tank trucks, the vapor collection system, and each loading rack handling gasoline, as well as tank truck performance test results (yearly updates) and tank truck vapor tightness documentation, and such records shall be kept on site, as specified by 40 CFR 60.505.

i. The permittee shall maintain records of the amount of each product loaded (gallons) at EP007 on a monthly and consecutive twelve (12) month basis.

j. Each owner or operator of a bulk gasoline terminal subject to the provisions of 40 CFR 63, Subpart BBBBBB shall keep records of the test results for each gasoline cargo tank loading at the facility as specified in paragraphs (b)(1) through (3) of 40 CFR 63.11094(b) or the alternative electronic recordkeeping procedures as specified in 40 CFR 63.11094(c).

k. Pursuant to 40 CFR 63.11089(b) and 40 CFR 63.11094(d), a log book shall be used and shall be signed by the owner or operator at the completion of each monthly leak inspection required by 40 CFR 63.11089. A section of the log book shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility. For facilities electing to implement an instrument program under 40 CFR 63.11089, the record shall contain a full description of the program.

l. Pursuant to 40 CFR 63.11094(e)(1) – (7) the following information should be recorded in the log book for a detected leak:

(1) The equipment type and identification number.
(2) The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell).
(3) The date the leak was detected and the date of each attempt to repair the leak.
(4) Repair methods applied in each attempt to repair the leak.
(5) “Repair delayed” and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak.
(6) The expected date of successful repair of the leak if the leak is not repaired within 15 days.
(7) The date of successful repair of the leak.

m. Pursuant to 40 CFR 63.11094(f)(1), keep an up-to-date, readily accessible record of the continuous monitoring data required under 40 CFR 63.11092(b) or 40 CFR 63.11092(e). This record shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record.
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

n. Pursuant to 40 CFR 63.11094(f)(2), record and report simultaneously with the Notification of Compliance Status required under 40 CFR 63.11093(b):
   (1) All data and calculations, engineering assessments, and manufacturer's recommendations used in determining the operating parameter value under 40 CFR 63.11092(b) or 40 CFR 63.11092(e).
   (2) Keep an up-to-date, readily accessible copy of the monitoring and inspection plan required under 40 CFR 63.11092(b)(1)(i)(B)(2) or 40 CFR 63.11092(b)(1)(iii)(B)(2).
   (3) Keep an up-to-date, readily accessible record of all system malfunctions, as specified in 40 CFR 63.11092(b)(1)(i)(B)(2)(v) or 40 CFR 63.11092(b)(1)(iii)(B)(2)(v).

o. Pursuant to 40 CFR 63.11094(g)(1) – (2), the permittee shall keep the following records:
   (1) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
   (2) Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.11085(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

p. See Section D.3 and Section F.2 for further requirements.

6. SPECIFIC REPORTING REQUIREMENTS:
   a. Refer to Sections F.5 and F.9.
   b. Pursuant to 40 CFR 63.11095(a)(2), each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility must be submitted in a semiannual compliance report to the Administrator.
   c. Pursuant to 40 CFR 63.11095(a)(3) the number of equipment leaks not repaired within 15 days after detection shall be reported in the semiannual compliance report.
   d. Pursuant to 40 CFR 63.11095(b)(1) – (5), each owner or operator of an affected source subject to the control requirements of 40 CFR 63, Subpart BBBBBB shall submit an excess emissions report to the Administrator at the time the semiannual compliance report is submitted. Excess emissions events under this subpart, and the information to be included in the excess emissions report, are specified in the following:
      (1) Each instance of a non-vapor-tight gasoline cargo tank loading at the facility in which the owner or operator failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained.
      (2) Each reloading of a non-vapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility in accordance with 40 CFR 63.11094(b).
      (3) Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under 40 CFR 63.11092(b). The report shall include the monitoring data for the days on which exceedances or failures to maintain have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing systems or the CMS.
      (4) Each instance in which malfunctions discovered during the monitoring and inspections required under 40 CFR 63.11092(b)(1)(i)(B)(2) and (b)(1)(iii)(B)(2) were not resolved according to the necessary corrective actions described in the
monitoring and inspection plan. The report shall include a description of the malfunction and the timing of the steps taken to correct the malfunction.

(5) For each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection:
   i. The date on which the leak was detected;
   ii. The date of each attempt to repair the leak;
   iii. The reasons for the delay of repair; and
   iv. The date of successful repair.

e. Pursuant to 40 CFR 63.11095(d), the permittee shall submit a semiannual report including the number, duration, and a brief description of 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 must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with 40 CFR 63.11085(a), including actions taken to correct a malfunction. The report may be submitted as a part of the semiannual compliance report, if one is required. The permittee of affected bulk plants and pipeline pumping stations are not required to submit reports for periods during which no malfunctions occurred.

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

<table>
<thead>
<tr>
<th>EP</th>
<th>Description</th>
<th>Capacity</th>
<th>Date Commissened</th>
<th>Generally Applicable Regulation</th>
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<tbody>
<tr>
<td>003</td>
<td>Tank 822 – Vertical Fixed Roof, Additive Service</td>
<td>9,954 gal</td>
<td>1963</td>
<td>401 KAR 63:020</td>
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<tr>
<td>005</td>
<td>Tank 828 – Vertical Fixed Roof, Distillate/ Kerosene/ Diesel Service</td>
<td>497,238 gal</td>
<td>1963</td>
<td>401 KAR 63:020 – 40 CFR 63, Subpart BBBB does not apply when storing a fuel with RVP less than 27.6 kPa (4 psia)</td>
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<tr>
<td>006</td>
<td>Tank 829 – Vertical Fixed Roof, Distillate/ Kerosene/ Diesel Service</td>
<td>990,738 gal</td>
<td>1963</td>
<td>401 KAR 63:020 – 40 CFR 63, Subpart BBBB does not apply when storing a fuel with RVP less than 27.6 kPA (4 psia)</td>
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<td>015</td>
<td>Tank 824 – Internal Floating Roof, Transmix Service</td>
<td>28,560 gal</td>
<td>1963</td>
<td>401 KAR 63:020 – 40 CFR 63, Subpart BBBB does not apply because transmix does not meet the definition of gasoline (it is not used as a fuel for internal combustion engines)</td>
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<td>Additive tank (AA-1-2)</td>
<td>1,200 gal/yr</td>
<td>2008</td>
<td>401 KAR 63:020</td>
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<td>--</td>
<td>Tank AA 1-3 (Vertical Fixed Roof, Dye Additive Service)</td>
<td>564 gal</td>
<td>2013</td>
<td>401 KAR 63:020</td>
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<td>--</td>
<td>Transmix loading at existing tank truck loading racks (transfer rack and tank truck fugitive emissions)</td>
<td>500,000 gal/yr</td>
<td>2008</td>
<td>None</td>
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<td>011</td>
<td>Tank 823 – Vertical fixed roof (VFR) storage tank – cleaned and out of service</td>
<td>9,786 gal</td>
<td>1963</td>
<td>None</td>
</tr>
</tbody>
</table>
### SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)

<table>
<thead>
<tr>
<th>EP</th>
<th>Description</th>
<th>Capacity</th>
<th>Date Commenced</th>
<th>Generally Applicable Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>012</td>
<td>Tank 831 – Vertical fixed roof (VFR) storage tank – cleaned and out of service</td>
<td>19,320 gal</td>
<td>1987</td>
<td>None</td>
</tr>
<tr>
<td>013</td>
<td>Tank 833 – Vertical fixed roof (VFR) storage tank – cleaned and out of service</td>
<td>28,560 gal</td>
<td>1998</td>
<td>None</td>
</tr>
<tr>
<td>014</td>
<td>Tank 834 – Vertical fixed roof (VFR) storage tank – cleaned and out of service</td>
<td>28,560 gal</td>
<td>1998</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>-- Oil / water separator</td>
<td>125,000 gal/yr</td>
<td></td>
<td>None – 401 KAR 59:095 and 61:045 do not apply</td>
</tr>
<tr>
<td></td>
<td>-- Periodic tank cleaning</td>
<td>--</td>
<td>--</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>-- Vacuum trucks (mobile source for periodic maintenance)</td>
<td>--</td>
<td>--</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>-- Frac tanks (portable source for periodic maintenance)</td>
<td>--</td>
<td>--</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>-- Site general maintenance (painting, welding, cutting, aerosol can use, etc.)</td>
<td>--</td>
<td>--</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>-- Grounds maintenance (spraying, mowers, weed trimmers, etc.)</td>
<td>--</td>
<td>--</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>-- HVAC systems</td>
<td>--</td>
<td>--</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>-- Fire suppression systems</td>
<td>--</td>
<td>--</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>-- Sewer</td>
<td>--</td>
<td>--</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>-- Tank 837, (Vertical Fixed Roof; Additive Service)</td>
<td>10,000 gal</td>
<td>2017</td>
<td>401 KAR 63:020</td>
</tr>
<tr>
<td></td>
<td>-- Water Accumulation Tank (WAT)</td>
<td>1,500 gal</td>
<td>1988</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td>-- Trench Drains to Oil Water Separator</td>
<td>NA</td>
<td>--</td>
<td>None</td>
</tr>
</tbody>
</table>
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. Total organic compounds (TOC) 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 Emission Limitations:**
   a. To preclude the applicability of 401 KAR 52:020, Title V permits, the total annual source-wide VOC emissions shall not exceed 90 tons on a twelve (12) consecutive month basis.
   b. To preclude the applicability of 401 KAR 52:020, Title V permits, the total annual source-wide HAP emissions shall not exceed 9 tons per year of each individual HAP and 22.5 tons per year of combined HAPs on a twelve (12) consecutive month basis.

**Compliance Demonstration Method:**
Compliance shall be determined by calculating and recording monthly emission rates and rolling 12-month total emissions of VOC, individual HAP, and total HAP. In place of actual emission rates, the permittee may use worst-case emission rates using the following equation:

- Monthly Emission Rate = \([\text{Monthly Processing Rate} \times \text{Emission Factor} \times (1 – \text{efficiency of control device}*])\]

*Note: For periods when a backup control device is used for EP007 (Tank Truck Loading Racks), the permittee shall use the control efficiency from the most recent test performed on the backup control device which has been approved by the Division.
SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. 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.

2. In reference to the vapor collection and processing system, the source shall send all required vapor streams to its on-site vapor processing system.
SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b-IV-1 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030 Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
   a. Date, place (as defined in this permit), and time of sampling or measurements;
   b. Analyses performance dates;
   c. Company or entity that performed analyses;
   d. Analytical techniques or methods used;
   e. Analyses results; and
   f. Operating conditions during time of sampling or measurement.

2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five (5) years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030, Section 3(1)(f)1a, and Section 1a-7 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].

3. In accordance with the requirements of 401 KAR 52:030, Section 3(1)f, the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
   a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
   b. To access and copy any records required by the permit;
   c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.
   Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.

4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].
SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030, Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.

7. In accordance with the provisions of 401 KAR 50:055, Section 1, the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
   a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
   b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.

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

e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, Frankfort Regional Office, 300 Sower Blvd, 1st Floor, Frankfort, KY 40601.

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-22-005.
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.


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,
SECTION G - GENERAL PROVISIONS (CONTINUED)

(4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.

(5) Notification of the Division does not relieve the source of any other local, state or 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.
SECTION G - GENERAL PROVISIONS (CONTINUED)


    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