

**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: Montebello Packaging Inc.
Mailing Address: 650 Industrial Drive
Lebanon, KY 40033**

**Source Name: Montebello Packaging Inc.
Mailing Address: 650 Industrial Drive
Lebanon, KY 40033**

Source Location: Same as above

**Permit ID: F-26-014
Agency Interest #: 2908
Activity ID: APE20250002
Review Type: Conditional Major, Operating
Source ID: 21-155-00028**

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

County: Marion

**Application
Complete Date: March 30, 2026
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-26-014	Renewal	APE20250002	3/30/2026		Renewal Permit

SECTION A - PERMIT AUTHORIZATION

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

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

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

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**Emission Point 01 (EP01) Coating Line 1 (A1, A3, and A5)****Description:**

Line for Coating 7/8" Tubes, consists of Spray Booth A1 for Inner Coating, Roll Coaters A3 and A5 for application of Outer Coating and Decorative Graphics

Construction Date: June 30, 1998

Emission Point 02 (EP02) Coating Line 2 (B1, B3, and B5)**Description:**

Line for Coating 1 1/8" Tubes, consists of Spray Booth B1 for Inner Coating, Roll Coaters B3 and B5 for application of Outer Coating and Decorative Graphics

Construction Date: June 30, 1998

Emission Point 03 (EP03) Coating Line 3 (C1, C3, and C5)**Description:**

Line for Coating 3/4" Tubes, consists of Spray Booth C1 for Inner Coating, Roll Coaters C3 and C5 for application of Outer Coating and Decorative Graphics

Construction Date: March 27, 2001

Emission Point 04 (EP04) Coating Line 4 (D1, D3, and D5)**Description:**

Line for Coating 1 3/8" Tubes, consists of Spray Booth D1 for Inner Coating, Roll Coaters D3 and D5 for application of Outer Coating and Decorative Graphics

Construction Date: August 2003

Emission Point 05 (EP05) Coating Line 5 (E1, E3, and E5)**Description:**

Line for Coating 1 1/2" Tubes, consists of Spray Booth E1 for Inner Coating, Roll Coaters E3 and E5 for application of Outer Coating and Decorative Graphics

Construction Date: February 2004

Modification Date: January 2024

Emission Point 07 (EP07): Source Wide NG Max Input Capacity (71.2 MMBtu/hr)**Emission Point 08 and Emission Point 09 (EP0809) Coating Line 7 (G1, G2, G3, G4, G5, G6, and G7) and Coating Line 8 (H1, H3, and H5)****Description for Coating Line 7 (G1, G2, G3, G4, G5, G6, and G7):**

Line for Coating Aerosol Cans, consists of Spray Booth G2 for Inner Coating, Roll Coaters G4 and G6 for application of Outer Coatings, Off-set Printer G5 for Decorative Graphics, Curing Ovens G3 and G7, and Washing Machine G1.

Construction Date: October 2011

Modification Date: December 2024

Description for Coating Line 8 (H1, H3, and H5):

Line for Coating 1 1/2" Tubes, consists of Spray Booth H1 for Inner Coating, Roll Coaters H3 and H5 for application of Outer Coating and Decorative Graphics.

Construction Date: September 2015

Modification Date: February 2025

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

Emission Point 01 thru 05

- | | |
|---|--|
| <ul style="list-style-type: none"> • Control Equipment for VOC/HAPs
Destruction Efficiency
Capture Efficiency • Control Equipment for Particulates
Estimated Control Efficiency | <p>Regenerating Thermal Oxidizer (RTO #1)
91% tested on May 22, 2024
98.1% tested on May 25, 2005</p> <p>Panel Filters
95% for PM/PM₁₀/PM_{2.5}</p> |
|---|--|

Emission Point 08 & 09

- | | |
|--|--|
| <ul style="list-style-type: none"> • Control Equipment for VOC/HAPs
Destruction Efficiency
Capture Efficiency • Control Equipment for Particulates

Estimated Control Efficiency | <p>Regenerating Thermal Oxidizer (RTO #2)
98.11% tested on July 25, 2025
100% tested on September 11, 2014</p> <p>Dust Collector equipped with Cartridge Filters (DH #1)
95% for PM/PM₁₀/PM_{2.5}</p> |
|--|--|

APPLICABLE REGULATIONS:

401 KAR 59:010, *New Process Operations*

STATE-ORIGIN REQUIREMENTS:

401 KAR 63:020, *Potentially Hazardous Matter or Toxic Substances*

1. Operating Limitations:

- a. The usage rate of materials used in all affected facilities shall be limited so as not to exceed the emission limitations listed in Section B (2) below. [401 KAR 52:030, Section 10]
- b. All control equipment shall be in place and operated at all times of coating operation. [401 KAR 52:030, Section 10]

2. Emission Limitations:

- a. See Section D for the source-wide VOC and HAPs emission limitations.
- b. For emissions from a control device or stack, no person shall cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 pounds/hour. [401 KAR 59:010, Section 3(2)]

Compliance Demonstration Method:

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

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

Compliance Demonstration Method:

Refer to **4. Specific Monitoring Requirements** and **5. Specific Recordkeeping Requirements** for opacity compliance demonstration.

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

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

Compliance Demonstration Method:

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

3. Testing Requirements:

- a. 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)]
- b. See Section E.

4. Specific Monitoring Requirements:

- a. The permittee shall perform a visual inspection of the filters once a day during the operation of the unit to ensure manufacturer's recommendations are followed. [401 KAR 52:030, Section 10]
- b. The permittee shall install, maintain, and operate according to manufacturer's specifications a differential pressure gauge to determine the pressure drop across the dust collectors once a day during the operation of the units. A permanent label displaying the operating range established for each dust collector shall be posted next to the instrument. [401 KAR 52:030, Section 10]
- c. The permittee shall perform a qualitative visual observation of the opacity of emissions at each stack no less than weekly while the affected facility is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]
- d. The twelve-month rolling total VOC and HAPs emissions shall be monitored monthly. [401 KAR 52:030, Section 10]
- e. The permittee shall monitor the amount of natural gas combusted, in MMscf, on a monthly basis. [401 KAR 52:030, Section 10]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain a log of the daily filter visual inspections, including the date, identity of the personnel making the record, dates of filter replacements and filter type (to include control efficiency rating). [401 KAR 52:030, Section 10]
- b. The permittee shall keep records of the daily pressure drop readings across the dust collector and filter replacements. [401 KAR 52:030, Section 10]
- c. The permittee shall maintain a log of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements (a)** including the date, time, initials of observer, whether any emissions were observed (yes/no), and any U.S. EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10]
- d. The permittee shall keep records of all maintenance activities performed on the control equipment. [401 KAR 52:030, Section 10]
- e. The permittee shall keep manufacturer's specifications for control equipment on site. [401 KAR 52:030, Section 10]
- f. The permittee shall maintain monthly records of all materials used containing VOC and HAP, including the product type, amount used and the weight percentages for VOC and all individual HAPs. [401 KAR 52:030, Section 10]
- g. At the end of each month, the permittee shall calculate VOC and HAP emissions according to Section D, and every month, a new 12-month rolling total for VOC and HAP emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]
- h. All records, including SDS for each material used shall be maintained by the source for the most recent two (2) year period. These records shall be made available to the cabinet or the U.S. EPA upon request.
- i. The permittee shall maintain records of the amount of natural gas combusted, in MMscf, on a monthly basis. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

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

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

7. Specific Control Equipment Operating Conditions:

Refer to Section E.

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.

Description**Generally Applicable Regulation**

None

None

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. VOC, HAPs, Particulate Matter, and Opacity emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.
 - a. Source wide individual hazardous air pollutants (HAP) emissions shall not exceed 9.0 tons per rolling 12-month period and combined HAPs emissions shall not exceed 22.5 tons per rolling 12-month period. The actual HAP/HAPs emissions shall be calculated based on 12-month rolling period. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

The following equation may be used to calculate the individual HAP emissions:

Monthly HAP emissions = \sum [Monthly usage of coatings or any other HAP containing material in pounds or gallons per month] x [HAP fraction] x [1 - (Destruction Efficiency x Capture Efficiency)] x [appropriate conversion factor (if usage is in gallons) for gallons to pounds for resin or any other HAP containing material used].

The following equation may be used to calculate the combined HAPs emissions:

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

Where: j = individual HAP emission (i.e. formaldehyde, toluene, xylene, etc.)

m = total number of single HAP emissions

- b. Source wide volatile organic compound (VOC) emissions shall not exceed 90 tons per rolling 12-month period (including VOC emissions from combustion sources). The actual VOC emissions shall be calculated based on 12-month rolling period. [401 KAR 52:030]

Compliance Demonstration Method:

- i. Monthly VOC emissions = \sum [Monthly usage of coatings or any other VOC containing material in pounds or gallons per month] x [VOC fraction] x [1 - (Destruction Efficiency x Capture Efficiency)] x [appropriate conversion factor (if usage is in gallons) for gallons to pounds for resin or any other VOC containing material used].
 - ii. Monthly VOC emissions = Monthly usage of Natural Gas (million Cubic feet) x 5.5 lb/Million Cubic feet

Source-wide VOC emissions = \sum [VOC emissions from spray coating operations] + \sum [VOC emissions from natural gas combustion units]

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

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

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

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

I. Two Regenerating Thermal Oxidizers (RTO #1 and #2)

Regenerating Thermal Oxidizer (RTO #1):

To control emissions (VOC/HAPS) from emission points 01 through 05

Description:

Destruction Efficiency:	91% tested on May 22, 2024
Rated capacity:	3.0 MMBtu/hr
Fuel usage:	Natural Gas
Construction Date:	1998

Regenerating Thermal Oxidizers (RTO #2):

To control emission (VOC/HAPS) from emission point 08 and 09

Description:

Destruction Efficiency:	98.11%% tested on July 15, 2025
Rated capacity:	4.0 MMBtu/hr
Fuel usage:	Natural Gas
Construction Date:	May 2012

a. Operating Limitations:

1. The average combustion chamber temperature in any 3-hour period shall not fall below the combustion temperature limit established during the most recent performance test which demonstrated compliance.
2. The permittee shall use the data collected during the performance test to calculate and record the average combustion temperature. This average combustion temperature is the minimum operating limit of the thermal oxidizer.

Compliance Demonstration Methods:

Compliance shall be demonstrated by continuously recording temperature in the combustion chamber at a location in the combustion zone and calculating the 3-hr average operating temperature at 15-minute intervals.

3. The permittee shall install, calibrate, maintain and operate in accordance with manufacturer's specifications a temperature monitoring device equipped with a continuous recorder in the firebox of the thermal oxidizer or in the duct immediately downstream of the firebox before any substantial heat exchange occurs.
4. The temperature-monitoring device shall have an accuracy of the greater of 0.75 percent of temperature measure expressed in degrees Celsius or $\pm 2.5^{\circ}\text{C}$.

**SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS
(CONTINUED)**

5. Before using the sensor for the first time or when relocating or replacing the sensor, perform a validation check by comparing the sensor output to a calibrated temperature measurement device or by comparing the sensor output to a simulated temperature.
6. Conduct an accuracy audit every year and after every deviation. Accuracy audit methods include comparisons of sensor output to redundant temperature sensors, to calibrated temperature measurement devices, or to temperature simulation devices.
7. Conduct a visual inspection of each sensor every quarter if redundant temperature sensors are not used.

b. Testing Requirements:

The source shall conduct a performance test on each thermal oxidizer within five years of the most recent performance test, during which a minimum operating temperature of the thermal oxidizer will be determined.

c. Specific Monitoring Requirements:

The permittee shall continuously monitor the combustion chamber temperature during coating operations.

d. Specific Recordkeeping Requirements:

1. The permittee shall maintain records of the following information for each thermal oxidizer:
 - a. The design and/or manufacturer's specifications.
 - b. The operational procedures and preventive maintenance records.
 - c. The average combustion chamber temperature during the most recent performance test which demonstrated compliance.
 - d. The combustion chamber temperature of each thermal oxidizer shall be recorded continuously.
 - e. Record all periods (during coating operations), in which the 3-hour average combustion chamber temperature of the thermal oxidizer is below the temperature limit established during the most recent performance test. Each occurrence shall be considered a deviation from permit requirements.
 - f. During all periods of operation of each thermal oxidizer in which the 3-hour average combustion chamber temperature is below the combustion chamber temperature limit established during the most recent performance test which demonstrated compliance, a daily log of the following information shall be kept:
 1. Whether any air emissions were visible from the facilities associated with each thermal oxidizer.
 2. Whether visible emissions were normal for the process.
 3. The cause of the visible emissions.
 4. Corrective action(s) taken shall be recorded.
 - g. If a 3-hour average temperature falls below the operating temperature limit established during the most recent performance test, then the permittee shall assume a destruction efficiency of zero during the time period of the deviation for the purpose of demonstrating compliance with emission limitations.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS (CONTINUED)

2. All records shall be retained at the source for a period of five years.

e. **Specific Reporting Requirements:**

The permittee shall identify, record, and submit a written report to the Division's Bowling Green Field office for each deviation from the permitted conditions. If no deviations occur during a particular 6-month period, the permittee shall state this in the semi-annual report required by General Condition F (6).

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS (CONTINUED)

II. Emission Capture System:

Capture Efficiency for RTO #1	98.1% tested on May 25, 2005
Capture Efficiency for RTO #2	100% (PTE) tested on September 11, 2014

a. Operating Limitations:

1. For RTO #1, The average gas volumetric flow rate or duct static pressure in each duct between a capture device and add-on control device inlet in any 3-hour period shall not fall below the average volumetric flow rate or duct static pressure limit established for that capture device during the most recent performance test.
2. For RTO #2, The average facial velocity (FV) of air through all NDOs in any 3-hour period shall be at least 200 fpm (3600 m/hr) to establish the permanent total enclosure (PTE).

b. Testing Requirements:

None

c. Specific Monitoring Requirements:

For RTO #1, The permittee shall monitor the average gas volumetric flow rate or duct static pressure in each duct between a capture device and Regenerative Thermal Oxidizer. Calculate and record the 3-hour average volumetric flow rate or duct static pressure.

1. **Capture Efficiency Monitoring with Flow Measurements**

Each flow measurement device must meet the following requirements:

- a. Locate a flow sensor in a position that provides a representative flow measurement in the duct from each capture device in the emission capture system to the add-on control device.
- b. Use a flow sensor with an accuracy of +/- 10 percent of the flow.
- c. Perform an initial sensor calibration in accordance with the manufacturer's requirements.
- d. Perform a validation check before initial use or upon relocation or replacement of a sensor. Validation checks include comparison of sensor values with electronic signal simulations or via relative accuracy testing.
- e. Conduct an accuracy audit every quarter and after every deviation. Accuracy audit methods include comparisons of sensor values with electronic signal simulations or via relative accuracy testing.
- f. Perform leak checks monthly.
- g. Perform visual inspections of the sensor system quarterly if there is no redundant sensor.

2. **Capture Efficiency Monitoring with Pressure Drop Measurements**

Each pressure drop measurement device must meet the following requirements:

- a. Locate the pressure sensor(s) in or as close as possible to a position that provides a representative measurement of the pressure drop across each opening monitored.
- b. Use a pressure sensor with an accuracy of at least 0.5 inches of water column or 5 percent of the measured value, whichever is larger.

**SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS
(CONTINUED)**

- c. Perform an initial calibration of the sensor according to the manufacturer's requirements
- d. Conduct a validation check before initial operation or upon relocation or replacement of a sensor. Validation checks include comparison of sensor values to calibrated pressure measurement devices or to pressure simulation using calibrated pressure sources.
- e. Conduct accuracy audits every quarter and after every deviation. Accuracy audits include comparison of sensor values to calibrated pressure measurement devices or to pressure simulation using calibrated pressure sources.
- f. Perform monthly leak checks on pressure connections. A pressure of at least 1.0 inches of water column to the connection must yield a stable sensor result for at least 15 seconds.
- g. Perform a visual inspection of the sensor at least monthly if there is no redundant sensor.

For RTO #2, the permittee shall monitor the average facial velocity (FV) of air through all Natural Draft Openings (NDOs) and record the 3-hour average FV.

d. Specific Record Keeping Requirements:

The permittee shall maintain records to show capture efficiencies remain constant, including the following information:

1. Maintain records of the initial sensor calibrations, validation checks and accuracy audits.
2. Maintain a log of the monthly leak checks.
3. Maintain a log of the visual inspections of the sensor systems (monthly for pressure measurements, quarterly for flow measurements).
4. Maintain records of all data and documentation used to determine capture efficiency.
5. For RTO #1, the capture efficiencies recorded during testing and the values of the average volumetric flow rates or duct static pressures that will be monitored corresponding to those capture efficiencies.
6. For RTO #1, continuously record the average gas volumetric flow rate or duct static pressure in each duct between a capture device and the control device. Calculate and record the 3-hour average volumetric flow rate or duct static pressure.
7. For RTO #2, continuously record the facial velocity of air through all NDOs. Calculate and record the 3-hour average facial velocity.
8. For emissions reporting, treat the materials used during a deviation on a controlled coating operation as if they were used on an uncontrolled coating operation for the time period of the deviation.
9. For RTO #1, Record all 3-hour periods (during coating operations) during which the average gas volumetric flow rate or duct static pressure in each duct between a capture device and the control device is less than the volumetric flow rate or duct static pressure limit established for that capture device during the most recent performance test. Each occurrence shall be considered a deviation from permit requirements, See **Specific Reporting Requirements** and Section F(6), F(7) and F(8).
10. For RTO #2, Record all 3-hour periods (during coating operations) during which

**SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS
(CONTINUED)**

the average facial velocity of air through all NDOs is less than 200 fpm. During any periods the FV is less than 200 fpm, this shall be considered a deviation from permit requirements, See Specific Reporting Requirements and Section F(6), F(7) and F(8).

e. Specific Reporting Requirements:

1. The permittee shall identify, record, and submit a written report to the Division's Bowling Green's Field office for each deviation from the capture system conditions.
 - a. If there is any 3-hour period, during which the average gas volumetric flow rate or duct static pressure in each duct between a capture device and each thermal oxidizer is less than the volumetric flow rate or duct static pressure limit established for that capture device during the most recent performance test.
2. If no deviations occur during a particular 6-month period, the permittee shall state this in the semi-annual report required by Section Condition F(6).
3. All records shall be retained at the source for a period of five years.

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.
 - f. The certification shall be submitted by January 30th of each year. Annual compliance

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

certifications shall be sent to the Division for Air Quality, Bowling Green Regional Office, 2642 Russellville Road, Bowling Green, KY 42101.

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

SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

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

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

- d. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a- 6 and 7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030, Section 3(1)(c)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

- q. Pursuant to 401 KAR 52:030, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
 - (1) Applicable requirements that are included and specifically identified in this permit; and
 - (2) Non-applicable requirements expressly identified in this permit.

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-26-014).

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.

- b. Pursuant to 401 KAR 50:045, Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.
- c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

6. Acid Rain Program Requirements

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

7. Emergency Provisions

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

- 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