

**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: Northern Kentucky University
Mailing Address: 1 Nunn Drive AC724, Highland Heights, KY
41099

Source Name: Northern Kentucky University
Mailing Address: 1 Nunn Drive, Highland Heights, KY 41099

Source Location: Nunn Drive, Highland Heights, KY

Permit ID: F-26-012
Agency Interest #: 37575
Activity ID: APE20250002 and APE20250001
Review Type: Conditional Major, Operating
Source ID: 21-037-00095

Regional Office: Florence Regional Office
8020 Veterans Memorial Drive, Suite 110
Florence, KY 41042
(859) 525-4923

County: Campbell

Application Complete Date: July 10, 2025
Issuance Date:
Expiration Date:

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

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Permit	Permit Type	Activity#	Complete Date	Issuance Date	Summary of Action
F-26-012	Revision	APE20250001	1/8/2025		Add/remove various boilers & engines
	Renewal	APE20250002	7/10/2025		

SECTION A - PERMIT AUTHORIZATION

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

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

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

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

Emission Unit: EU 1

One (1) Indirect Heat Exchangers

Description:

Emission Units		Location	Primary Fuel (Process ID 1)	Secondary Fuel (Process ID 2)	Maximum Continuous Rating (MMBtu/hr)	Construction Commenced
EU	EP					
1	#1 Boiler	Power Plant	Natural Gas	No. 2 Fuel Oil	25.2	2002

APPLICABLE REGULATIONS:

401 KAR 59:015, *New indirect heat exchangers.*

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

STATE-ORIGIN REQUIREMENTS:

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

PRECLUDED REGULATIONS:

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

1 Operating Limitations:

- a. The facility has taken a voluntary, federally-enforceable source-wide emission limitation of 90 tons per year for nitrogen oxides (NO_x). [To preclude 401 KAR 52:020, *Title V permits*]
- b. A gas fired-boiler is not subject to 40 CFR 63, Subpart JJJJJJ. In order for the heat exchangers to be considered gas-fired units, these units shall burn gaseous fuels not combined with any solid fuels and burns liquid fuels only during periods of gas curtailment, gas supply interruption, startup, or for periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a total of 48 hours during any calendar year. [40 CFR 63.11195(e), referencing 40 CFR 63.11237, "gas-fired boiler", to preclude 40 CFR 63, Subpart JJJJJJ].
- c. During a startup period or shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 59:015, Section 7. [401 KAR 59:015, Section 7]
 - i. The permittee shall comply with 401 KAR 50:055, Section 2(5); [401 KAR 59:015, Section 7(1)(a)]
 - ii. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility; [401 KAR 59:015, Section 7(1)(b)]
 - iii. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods; [401 KAR 59:015, Section 7(1)(c)]

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

- iv. The actions, including duration of the startup period, of the permittee during startup and shutdown periods, shall be documented in signed, contemporaneous logs or other relevant evidence; [401 KAR 59:015, Section 7(1)(d)]
- v. Startups and shutdowns shall be conducted according to either: [401 KAR 59:015, Section 7(1)(e)]
 - 1. The manufacturer's recommended procedures; or [401 KAR 59:015, Section 7(1)(e)1.]
 - 2. Recommended procedures for a unit of similar design, for which manufacturer's recommended procedures are available, as approved by the cabinet based on documentation provided by the permittee. [401 KAR 59:015, Section 7(1)(e)2.]

Compliance Demonstration:

To demonstrate compliance with this requirement the permittee shall meet the recordkeeping requirements in **5. Specific Recordkeeping Requirements. a, b, c.**

2 Emission Limitations:

- a. The permittee shall not cause emissions of particulate matter in excess of 0.27 lb/MMBtu actual heat input. [401 KAR 59:015, Section 4(1)(c)]

Compliance Demonstration:

The unit is assumed to be in compliance with emission standard while combusting natural gas or No. 2 fuel oil

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

Compliance Demonstration:

- 1. While combusting natural gas, the permittee is assumed to be in compliance with the allowable opacity standards.
 - 2. While combusting No. 2 fuel oil, compliance shall be demonstrated according to **4. Specific Monitoring Requirements b.** and **5. Specific Recordkeeping Requirements f.**
- c. While combusting natural gas, sulfur dioxide (SO₂) emissions shall not exceed 0.84 lb/MMBtu, for each unit. [401 KAR 59:015, Section 5(1)(c)2.b].

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

This unit is assumed to be in compliance with allowable Sulfur dioxide (SO₂) standard when combusting natural gas.

- d. While combusting No. 2 fuel oil, sulfur dioxide (SO₂) emissions shall not exceed 0.50 lb/MMBtu (215 ng/J); or, as an alternative, the permittee shall not combust liquid fuel that contains greater than 0.5 weight percent sulfur. The SO₂ standard under 40 CFR 60.42c applies at all times, including periods of startup, shutdown, and malfunction. [40 CFR 60.42c(d) and (i)]

Compliance Demonstration:

Compliance shall be determined based on a certification from the fuel supplier, as described under 40 CFR 60.48c(f). See 5. **Specific Recordkeeping Requirements (d)**.

- e. 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:

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.

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

3. Testing Requirements:

Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1]

4. Specific Monitoring Requirements:

- a. The permittee shall monitor the amount of natural gas (MMscf) and No. 2 fuel oil (gallons) combusted, on a monthly basis. [401 KAR 52:030, Section 10 and 40 CFR 60.48c(g)(2)]
- b. While combusting No. 2 fuel oil, the permittee shall perform a qualitative visual observation of the opacity of emissions at the stack no less than weekly while the affected facility is operating. If visible emissions from the stack are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]

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

- a. The permittee shall maintain records of the amount of natural gas and No.2 fuel oil combusted, on a calendar month basis. [401 KAR 52:030, Section 10 and 40 CFR 60.48c(g)(2)]
- b. The permittee shall keep records of the manufacturer's recommended procedures for startup and shutdown, any instance in which the recommended procedures were not followed, and any corrective action taken. [401 KAR 52:030, Section 10]
- c. The permittee shall maintain records of the reason No. 2 fuel oil is burned (gas curtailment, gas supply interruption, startup, or for periodic testing, maintenance, or operator training on liquid fuel) and the number of hours liquid fuel is burned on a calendar month basis. [401 KAR 52:030, Section 10]
- d. The permittee shall maintain records according to the requirements specified in 40 CFR 60.48c(c)(1) through (3), as applicable to the visible emissions monitoring method used for compliance with 40 CFR 60, Subpart Dc [40 CFR 60.48c(c)].
 - i. For each performance test conducted using U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60, the permittee shall keep the records including the information specified in paragraphs 40 CFR 60.48c(c)(1)(i) through (iii) [40 CFR 60.48c(c)(1)].
 1. Dates and time intervals of all opacity observation periods [40 CFR 60.48c(c)(1)(i)];
 2. Name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test [40 CFR 60.48c(c)(1)(ii)]; and
 3. Copies of all visible emission observer opacity field data sheets [40 CFR 60.48c(c)(1)(iii)];
 - ii. For each performance test conducted using U.S. EPA Reference Method 22 of Appendix A-4 of 40 CFR Part 60, the permittee shall keep the records including the information specified in 40 CFR 60.48c(c)(2)(i) through (iv) [40 CFR 60.48c(c)(2)].
 1. Dates and time intervals of all visible emission observation periods [40 CFR 60.48c(c)(2)(i)];
 2. Name and affiliation for each visible emission observer participating in the performance test [40 CFR 60.48c(c)(2)(ii)];
 3. Copies of all visible emission observer opacity field data sheets [40 CFR 60.48c(c)(2)(iii)]; and
 4. Documentation of any adjustments made and the time the adjustments were completed to the affected facility operation by the permittee to demonstrate compliance with the applicable monitoring requirements [40 CFR 60.48c(c)(2)(iv)].

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

- iii. For each digital opacity compliance system, the permittee shall maintain records and submit reports according to the requirements specified in the site-specific monitoring plan approved by the Administrator [40 CFR 60.48c(c)(3)].
- e. The permittee shall maintain records of fuel supplier certification for No. 2 fuel oil that includes the following information: [40 CFR 60.48c(e)(11) and 60.48c(f)]
 - i. The name of the oil supplier; [40 CFR 60.48c(f)(1)(i)]
 - ii. A statement from the oil supplier that the oil complies with the specification under the definition of distillate oil in 40 CFR 60.41c; and [40 CFR 60.48c(f)(1)(ii)].
 - iii. The sulfur content or maximum sulfur content of the oil [40 CFR 60.48c(f)(1)(iii)].
- f. The permittee shall maintain records of the qualitative visual observations made, including the date, time, initials of observer, whether any emissions were (yes/no), any corrective action taken, and any U.S. EPA Reference Method 9 reading conducted. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

- a. The permittee shall submit excess emission reports for any emissions in excess of the 40 CFR 60.43c(c) opacity limit that occur during the reporting period. The permittee shall submit reports including No. 2 fuel oil fuel supplier certifications with a statement signed by the permittee that the records of fuel supplier certification submitted represent all of the No. 2 fuel oil combusted during the reporting period. [40 CFR 60.48c(c) and (e)]
- b. All information required to be reported under 40 CFR 60 Subpart Dc shall be submitted to the administrator for each six-month period and shall be postmarked by the 30th day following the end of the reporting period. These semiannual reports shall include the following information: [40 CFR 60.48c(d) and (j)]
 - i. Calendar dates covered in the reporting period; [40 CFR 60.48c(e)(1)]
 - ii. Records of fuel supplier certification containing the information identified by **5. Specific Recordkeeping Requirements e.**, including a certified statements signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period; [40 CFR 60.48c(e)(11)]
 - iii. Monthly fuel consumption rates or records of the total amount of steam generating unit fuel delivered to the property during each calendar month. [40 CFR 60.48c(g)(2)-(3)]
- c. See **Section F-Monitoring, Recordkeeping and Reporting Requirements.**

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

Emission Units: EU 2-3

Two (2) Indirect Heat Exchangers

Description:

Emission Units		Location	Primary Fuel (Process ID 1)	Secondary Fuel (Process ID 2)	Maximum Continuous Rating (MMBtu/hr)	Construction Commenced
EU	EP					
2-3	#2 Boiler	Power Plant	Natural Gas	No. 2 Fuel Oil	60.7	2002
	#3 Boiler	Power Plant	Natural Gas	No. 2 Fuel Oil	60.7	2002

APPLICABLE REGULATIONS:

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

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

STATE-ORIGIN REQUIREMENTS:

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

PRECLUDED REGULATIONS:

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

1 Operating Limitations:

- a. The facility has taken a voluntary, federally-enforceable source-wide emission limitation of 90 tons per year for nitrogen oxides (NO_x). [To preclude 401 KAR 52:020, *Title V permits*]
- b. A gas fired-boiler is not subject to 40 CFR 63, Subpart JJJJJJ. In order for the heat exchangers to be considered gas-fired units, these units shall burn gaseous fuels not combined with any solid fuels and burns liquid fuels only during periods of gas curtailment, gas supply interruption, startup, or for periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a total of 48 hours during any calendar year. [40 CFR 63.11195(e), referencing 40 CFR 63.11237, "gas-fired boiler", to preclude 40 CFR 63, Subpart JJJJJJ].
- c. During a startup period or shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 59:015, Section 7. [401 KAR 59:015, Section 7]
 - i. The permittee shall comply with 401 KAR 50:055, Section 2(5); [401 KAR 59:015, Section 7(1)(a)]
 - ii. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility; [401 KAR 59:015, Section 7(1)(b)]
 - iii. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods; [401 KAR 59:015, Section 7(1)(c)]

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

- iv. The actions, including duration of the startup period, of the permittee during startup and shutdown periods, shall be documented in signed, contemporaneous logs or other relevant evidence; [401 KAR 59:015, Section 7(1)(d)]
- v. Startups and shutdowns shall be conducted according to either: [401 KAR 59:015, Section 7(1)(e)]
 - 1. The manufacturer's recommended procedures; or [401 KAR 59:015, Section 7(1)(e)1.]
 - 2. Recommended procedures for a unit of similar design, for which manufacturer's recommended procedures are available, as approved by the cabinet based on documentation provided by the permittee. [401 KAR 59:015, Section 7(1)(e)2.]

Compliance Demonstration:

To demonstrate compliance with this requirement the permittee shall meet the recordkeeping requirements in **5. Specific Recordkeeping Requirements. a, b, c.**

2 Emission Limitations:

- a. The permittee shall not cause emissions of particulate matter in excess of 0.27 lb/MMBtu actual heat input. [401 KAR 59:015, Section 4(1)(c)]

Compliance Demonstration:

Units are assumed to be in compliance with emission standard while combusting natural gas or No. 2 fuel oil.

- b. While combusting natural gas, the permittee shall not cause emissions of particulate matter in excess of 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
 - i. A maximum of 40 percent opacity shall be permissible for not more than 6 consecutive minutes during in any 60 consecutive minutes during cleaning the fire box or blowing soot. [401 KAR 59:015, Section 4(2)(b)]
 - ii. During building a new fire for the period required to bring the boiler up to operating conditions provided the method used is that recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 4(2)(c)]

Compliance Demonstration:

While combusting natural gas, the permittee is assumed to be in compliance with the allowable opacity standards.

- c. While combusting natural gas, sulfur dioxide (SO₂) emissions shall not exceed 0.84 lb/MMBtu, for each unit. [401 KAR 59:015, Section 5(1)(c)2.b.].

Compliance Demonstration:

These units are assumed to be in compliance with allowable Sulfur dioxide (SO₂) standard when combusting natural gas.

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

- d. While combusting No. 2 fuel oil, sulfur dioxide (SO₂) emissions shall not exceed 0.50 lb/MMBtu (215 ng/J); or, as an alternative, the permittee shall not combust liquid fuel that contains greater than 0.5 weight percent sulfur. The SO₂ standard under 40 CFR 60.42c applies at all times, including periods of startup, shutdown, and malfunction. [40 CFR 60.42c(d) and (i)]

Compliance Demonstration:

Compliance shall be determined based on a certification from the fuel supplier, as described under 40 CFR 60.48c(f). See **5. Specific Recordkeeping Requirements d.**

- g. While firing No. 2 fuel oil, visible emissions shall not exceed 20 percent opacity, based on a 6-minute average, except for one 6-minute period per hour of not more than 27 percent opacity. The opacity standard under 40 CFR 60.43c applies at all times, except during periods of startup, shutdown, or malfunction. [40 CFR 60.43c(c) and (d)]

Compliance Demonstration:

Compliance shall be demonstrated according to **3. Testing Requirements b.**

- h. 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:

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.

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

3. Testing Requirements:

- a. Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1]
- b. While firing No. 2 fuel oil, the permittee shall conduct a performance test using U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 and the procedures in 40 CFR 60.11 to demonstrate compliance with the applicable limit in 40 CFR 60.43c and shall comply with either 40 CFR 60.47c(a)(1), (a)(2), or (a)(3). The observation period for U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance tests may be reduced from 3 hours to 60 minutes if all 6-minute averages are less than 10 percent and all individual 15-second observations are less than or equal to 20 percent during the initial 60 minutes of observation. [40 CFR 60.47c(a)]

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

- i. Except as provided in 40 CFR 60.47c(a)(2) and (a)(3), the permittee shall conduct subsequent U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance tests using the procedures in 40 CFR 60.47c(a) according to the applicable schedule in 40 CFR 60.47c(a)(1)(i) through (a)(1)(iv), as determined by the most recent U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance test results. [40 CFR 60.47c(a)(1)]
 1. If no visible emission are observed, a subsequent U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance test shall be completed within 12 calendar months from the date that the most recent performance test was conducted or within 45 calendar days of the next day that fuel with an opacity standard is combusted, whichever is later; [40 CFR 60.47c(a)(1)(i)]
 2. If visible emissions are observed but the maximum 6-minute average opacity is less than or equal to 5 percent, a subsequent U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance test shall be completed within 6 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later; [40 CFR 60.47c(a)(1)(ii)]
 3. If the maximum 6-minute average opacity is greater than 5 percent but less than or equal to 10 percent, a subsequent U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance test shall be completed within 3 calendar months from the date that the most recent performance test was conducted or within 45 days of the next day that fuel with an opacity standard is combusted, whichever is later; or [40 CFR 60.47c(a)(1)(iii)]
 4. If the maximum 6-minute average opacity is greater than 10 percent, a subsequent U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance test shall be completed within 45 calendar days from the date that the most recent performance test was conducted. [40 CFR 60.47c(a)(1)(iv)]
- ii. If the maximum 6-minute average opacity is less than 10 percent during the most recent U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance test, the permittee may, as an alternative to performing subsequent U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance tests, elect to perform subsequent monitoring using U.S. EPA Reference Method 22 of Appendix A-7 of 40 CFR Part 60 according to the procedures specified in 40 CFR 60.47c(a)(2)(i) and (ii). [40 CFR 60.47c(a)(2)]
 1. The permittee shall conduct 10 minute observations (during normal operation) each operating day the affected facility fires fuel for which an opacity standard is applicable using U.S. EPA Reference Method 22 of Appendix A-7 of 40 CFR Part 60 and demonstrate that the sum of the occurrences of any visible emissions is not in excess of 5 percent of the observation period (i.e., 30 seconds per 10 minute period). If the sum of the occurrence of any visible emissions is greater than 30 seconds during the initial 10 minute observation, immediately conduct a 30 minute observation. If the sum of the occurrence of visible emissions is greater than 5 percent of the observation period (i.e., 90 seconds per 30 minute period), the permittee shall either document and adjust the operation of the facility and

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

demonstrate within 24 hours that the sum of the occurrence of visible emissions is equal to or less than 5 percent during a 30 minute observation (i.e., 90 seconds) or conduct a new U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance test using the procedures in 40 CFR 60.47c(a) within 45 calendar day according to the requirements in 40 CFR 60.45c(a)(8). [40 CFR 60.47c(a)(2)(i)]

2. If no visible emissions are observed for 10 operating days during which an opacity standard is applicable, observations can be reduced to once every 7 operating days during which an opacity standard is applicable. If any visible emissions are observed, daily observations shall be resumed. [40 CFR 60.47c(a)(2)(ii)]
- iii. If the maximum 6-minute opacity is less than 10 percent during the most recent U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance test, the permittee may, as an alternative to performing subsequent U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60 performance tests, elect to perform subsequent monitoring using a digital opacity compliance system according to a site-specific monitoring plan approved by the Administrator. The observations shall be similar, but not necessarily identical, to the requirements in 40 CFR 60.47c(a)(2). For reference purposes in preparing the monitoring plan, see OAQPS "Determination of Visible Emission Opacity from Stationary Sources Using Computer-Based Photographic Analysis Systems." This document is available from the U.S. Environmental Protection Agency (U.S. EPA), Office of Air Quality and Planning Standards; Sector Policies and Program Division; Measurement Policy Group (D243-02), Research Triangle Park, NC 27711. This document is also available on the Technology Transfer Network (TTN) under Emission Measurement Center Preliminary Methods. [40 CFR 60.47c(a)(3)]

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of natural gas (MMscf) and No. 2 fuel oil (gallons) combusted, on a monthly basis. [401 KAR 52:030, Section 10 and 40 CFR 60.48c(g)(2)]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of the amount of natural gas and No.2 fuel oil combusted, on a calendar month basis. [401 KAR 52:030, Section 10 and 40 CFR 60.48c(g)(2)]
- b. The permittee shall keep records of the manufacturer's recommended procedures for startup and shutdown, any instance in which the recommended procedures were not followed, and any corrective action taken. [401 KAR 52:030, Section 10]
- c. The permittee shall maintain records of the reason No. 2 fuel oil is burned (gas curtailment, gas supply interruption, startup, or for periodic testing, maintenance, or operator training on liquid fuel) and the number of hours liquid fuel is burned on a calendar month basis. [401 KAR 52:030, Section 10]
- d. The permittee shall maintain records according to the requirements specified in 40 CFR 60.48c(c)(1) through (3), as applicable to the visible emissions monitoring method used for compliance with 40 CFR 60, Subpart Dc [40 CFR 60.48c(c)].

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

- i. For each performance test conducted using U.S. EPA Reference Method 9 of Appendix A-4 of 40 CFR Part 60, the permittee shall keep the records including the information specified in paragraphs 40 CFR 60.48c(c)(1)(i) through (iii) [40 CFR 60.48c(c)(1)].
 1. Dates and time intervals of all opacity observation periods [40 CFR 60.48c(c)(1)(i)];
 2. Name, affiliation, and copy of current visible emission reading certification for each visible emission observer participating in the performance test [40 CFR 60.48c(c)(1)(ii)]; and
 3. Copies of all visible emission observer opacity field data sheets [40 CFR 60.48c(c)(1)(iii)];
 - ii. For each performance test conducted using U.S. EPA Reference Method 22 of Appendix A-4 of 40 CFR Part 60, the permittee shall keep the records including the information specified in 40 CFR 60.48c(c)(2)(i) through (iv) [40 CFR 60.48c(c)(2)].
 1. Dates and time intervals of all visible emission observation periods [40 CFR 60.48c(c)(2)(i)];
 2. Name and affiliation for each visible emission observer participating in the performance test [40 CFR 60.48c(c)(2)(ii)];
 3. Copies of all visible emission observer opacity field data sheets [40 CFR 60.48c(c)(2)(iii)]; and
 4. Documentation of any adjustments made and the time the adjustments were completed to the affected facility operation by the permittee to demonstrate compliance with the applicable monitoring requirements [40 CFR 60.48c(c)(2)(iv)].
 - iii. For each digital opacity compliance system, the permittee shall maintain records and submit reports according to the requirements specified in the site-specific monitoring plan approved by the Administrator [40 CFR 60.48c(c)(3)].
 - e. The permittee shall maintain records of fuel supplier certification for No. 2 fuel oil that includes the following information: [40 CFR 60.48c(e)(11) and 60.48c(f)]
 - i. The name of the oil supplier; [40 CFR 60.48c(f)(1)(i)]
 - ii. A statement from the oil supplier that the oil complies with the specification under the definition of distillate oil in 40 CFR 60.41c; and [40 CFR 60.48c(f)(1)(ii)].
 - iii. The sulfur content or maximum sulfur content of the oil [40 CFR 60.48c(f)(1)(iii)].
- 6. Specific Reporting Requirements:**
- a. The permittee shall submit excess emission reports for any emissions in excess of the 40 CFR 60.43c(c) opacity limit that occur during the reporting period. The permittee shall submit reports including No. 2 fuel oil fuel supplier certifications with a statement signed by the permittee that the records of fuel supplier certification submitted represent all of the No. 2 fuel oil combusted during the reporting period. [40 CFR 60.48c(c) and (e)]

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

- b. All information required to be reported under 40 CFR 60 Subpart Dc shall be submitted to the administrator for each six-month period and shall be postmarked by the 30th day following the end of the reporting period. These semiannual reports shall include the following information: [40 CFR 60.48c(d) and (j)]
 - i. Calendar dates covered in the reporting period; [40 CFR 60.48c(e)(1)]
 - ii. Records of fuel supplier certification containing the information identified by **5. Specific Recordkeeping Requirements e.**, including a certified statements signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period; [40 CFR 60.48c(e)(11)]
 - iii. Monthly fuel consumption rates or records of the total amount of steam generating unit fuel delivered to the property during each calendar month. [40 CFR 60.48c(g)(2)-(3)]
- d. See **Section F-Monitoring, Recordkeeping and Reporting Requirements.**

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

Emission Unit: EU 4-12 One(1) Indirect Heat Exchanger

Description:

Emission Unit		Location	Primary Fuel (Process ID 1)	Secondary Fuel (Process ID 2)	Maximum Continuous Rating (MMBtu/hr)	Construction Commenced
EU	EP					
4-12	7	Ceramics	Natural Gas	No. 2 Fuel Oil	2.45	1996

APPLICABLE REGULATIONS:

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

STATE-ORIGIN REQUIREMENTS:

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

PRECLUDED REGULATIONS:

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

1. Operating Limitations:

- a. The facility has taken a voluntary, federally-enforceable source-wide emission limitation of 90 tons per year for nitrogen oxides (NO_x). [To preclude 401 KAR 52:020, *Title V permits*]
- b. A gas fired-boiler is not subject to 40 CFR 63, Subpart JJJJJ. In order for the heat exchangers to be considered gas-fired units, these units shall burn gaseous fuels not combined with any solid fuels and burns liquid fuels only during periods of gas curtailment, gas supply interruption, startup, or for periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a total of 48 hours during any calendar year. [40 CFR 63.11195(e), referencing 40 CFR 63.11237, "gas-fired boiler, to preclude 40 CFR 63, Subpart JJJJJ].
- c. During a startup period or shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 59:015, Section 7. [401 KAR 59:015, Section 7]
 - i. The permittee shall comply with 401 KAR 50:055, Section 2(5) [401 KAR 59:015, Section 7(1)(a)].
 - ii. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility [401 KAR 59:015, Section 7(1)(b)].
 - iii. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods [401 KAR 59:015, Section 7(1)(c)].
 - iv. The actions, including duration of the startup period, of the permittee during startup and shutdown periods, shall be documented in signed, contemporaneous logs or other relevant evidence; [401 KAR 59:015, Section 7(1)(d)]

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

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

Compliance Demonstration:

To demonstrate compliance with this requirement the permittee shall meet the recordkeeping requirements **5. Specific Recordkeeping Requirements c.**

2. Emission Limitations:

- a. Particulate matter (PM) emissions shall not exceed 0.1 lb/MMBtu [401 KAR 59:015, Section 4(1)(b)]
- b. Visible emissions shall not exceed 20 percent opacity except: [401 KAR 59:015, Section 4(2)]
 - i. A maximum of 40 percent opacity shall be permissible for not more than 6 consecutive minutes during in any 60 consecutive minutes during cleaning the fire box or blowing soot. [401 KAR 59:015, Section 4(2)(b)]
 - ii. During building a new fire for the period required to bring the boiler up to operating conditions provided the method used is that recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 4(2)(c)]
- c. Sulfur dioxide (SO₂) emissions shall not exceed 0.8 lb/MMBtu. [401 KAR 59:015, Section 5(1)(b)1]

Compliance Demonstration:

While combusting natural gas and No. 2 fuel oil, the permittee is assumed to be in compliance with the PM, SO₂, and opacity standards

- 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:

Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information

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

submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020.

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

3. Testing Requirements:

Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1]

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of natural gas (MMscf) and No. 2 fuel oil combusted, on a monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of the amount of natural gas and No. 2 fuel oil combusted, on a monthly basis. [401 KAR 52:030, Section 10]

b. The permittee shall maintain records of the reason No. 2 fuel oil is burned (gas curtailment, gas supply interruption, startup, or for periodic testing, maintenance, or operator training on liquid fuel) and the number of hours liquid fuel is burned on a monthly basis. [401 KAR 52:030, Section 10]

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

6. Specific Reporting Requirements:

See **Section F. Monitoring, Recordkeeping, and Reporting Requirements.**

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

Emission Units: EU 19-21 & EU 34 Five(5) Emergency Generators

Description:

Emission Unit		Location	Maximum Continuous Rating (hp)	Fuel	Construction Commenced
EU	EP				
19-21	20	Science Center	1,180	Diesel	2000
	21	Applied Science & Technology Center	760	Diesel	1995
34	G-08	Nunn Hall	116	Diesel	Prior to 2004
	G-14	University Center	170	Diesel	Prior to 2004
	G-15	Callahan Hall	288	Diesel	Prior to 2004

APPLICABLE REGULATIONS:

401 KAR 63:020, *Potentially hazardous matter or toxic substances [State-Origin Requirements]*

PRECLUDED REGULATIONS:

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

1. Operating Limitations:

- a. The permittee shall operate these units according to the following requirements to ensure that they meet the definition of “emergency stationary RICE” in 40 CFR 63.6675 in order to be considered emergency stationary RICE. [40 CFR 63.6585(f)(3); 63.6675; and 63.6640(f)]
- b. There is no time limit on the use of emergency stationary RICE emergency situations. [40 CFR 63.6640(f)(1)]
- c. The permittee may operate each of the engines for a maximum of 100 hours per calendar year for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [40 CFR 63.6640(f)(2)]
- d. The permittee may be operate each of the engines for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 63.6640(f)(2). The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a

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

facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 63.6585(f)(3) and 40 CFR 63.6640(f)(4)]

2. Emission Limitations:

- a. 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:

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.

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

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. The permittee shall monitor diesel usage (gallons) for each engine on a monthly basis [401 KAR 52:030, Section 10].
- b. The permittee shall monitor the hours of operation of each engine on a monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of diesel usage (gallons) usage for each engine on a monthly basis [401 KAR 52:030, Section 10].
- b. The permittee shall maintain records of hours of operation of each engine on a monthly basis. The permittee shall document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours were spent for non-emergency operation. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

See **Section F, Monitoring, Recordkeeping, and Reporting Requirements.**

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

Emission Units: 45, 47, 48, 49, 50, 51 & 55 Seven(7) Indirect Heat Exchangers

Description:

Emission Units:		Location	Model	Fuel	Maximum Continuous Rating (MMBtu/hr)	Construction Commenced
EU	EP					
45		Callahan Hall Dorm	Benchmark Platinum BMK 3000	Natural Gas	3.0	4/2022
47		Callahan Hall Dorm	Benchmark Platinum BMK 3000	Natural Gas	3.0	9/2022
48	4	Norse Hall (Boiler #1)	Crest Condensing Boiler Model: FBN2001	Natural Gas	2.0	10/2021
49	5	Norse Hall (Boiler #2)	Lochinvar Crest FBN2001 Series 100	Natural Gas	2.0	10/2021
50	10	University Suites (Boiler #1)	Lochinvar Crest FBN2000N Model: 2333	Natural Gas	2.0	11/2023
51	12	University Suites (Boiler #2)	Lochinvar Crest FBN2000N Model: 2333	Natural Gas	2.0	11/2023
55	22	Callahan Hall #3	Benchmark Platinum BMK 3000	Natural Gas	3.0	11/2022

APPLICABLE REGULATIONS:

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

STATE-ORIGIN REQUIREMENTS:

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

1. Operating Limitations:

- a. During a startup period or shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 59:015, Section 7. [401 KAR 59:015, Section 7]
 - i. The permittee shall comply with 401 KAR 50:055, Section 2(5) [401 KAR 59:015, Section 7(1)(a)].
 - ii. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility [401 KAR 59:015, Section 7(1)(b)].
 - iii. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods [401 KAR 59:015, Section 7(1)(c)].
 - iv. The actions, including duration of the startup period, of the permittee during startup and shutdown periods, shall be documented in signed, contemporaneous logs or other relevant evidence; [401 KAR 59:015, Section 7(1)(d)]
 - v. Startups and shutdowns shall be conducted according to either [401 KAR 59:015, Section 7(1)(e)]:

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

1. The manufacturer's recommended procedures or [401 KAR 59:015, Section 7(1)(e)(1)];
2. Recommended procedures for a unit of similar design, for which manufacturer's recommended procedures are available, as approved by the Cabinet based on documentation provided by the permittee [401 KAR 59:015, Section 7(1)(e)(2)].

Compliance Demonstration:

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

2. **Emission Limitations:**

- a. Particulate matter (PM) emissions from each unit shall not exceed the values in the following table: [401 KAR 59:015, Section 4(1)(c)]
- b. Visible emissions shall not exceed twenty (20) percent opacity except: [401 KAR 59:015, Section 4(2)]
 - i. A maximum of forty (40) percent opacity shall be permissible for not more than six (6) consecutive minutes during in any sixty (60) consecutive minutes during cleaning the fire box or blowing soot. [401 KAR 59:015, Section 4(2)(b)]
 - ii. During building a new fire for the period required to bring the boiler up to operating conditions provided the method used is that recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 4(2)(c)]
- c. Sulfur dioxide (SO₂) emissions from each unit shall not exceed the values in the following table. [401 KAR 59:015, Section 5(1)(c)2.b.]

Emission Unit	PM Emission Limit (lb/MMBtu)	SO₂ Emission Limit (lb/MMBtu)
45	0.28	0.91
47	0.29	0.93
48	0.28	0.92
49	0.28	0.92
50	0.28	0.92
51	0.28	0.92
55	0.28	0.92

Compliance Demonstration:

The permittee is assumed to be in compliance with PM, SO₂ and opacity standards while burning natural gas.

- 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

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

procedures and emission potential will be made on an individual basis by the cabinet [401 KAR 63:020, Section 3].

Compliance Demonstration:

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.

e. See **Section D, Source Emission Limitations and Testing Requirements.**

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

The permittee shall monitor the amount of natural gas combusted and hours of operation on a monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

a. Records of the amount of natural gas combusted and hours of operation shall be maintained on a monthly basis. [401 KAR 52:030, Section 10]

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

6. Specific Reporting Requirements:

See **Section F, Monitoring, Recordkeeping, and Reporting Requirements.**

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

Emission Units: 28, 29, 31, 35, 44, 46, 52, & 54 Diesel Fired Emergency Generators

Description:

Emission Units:		Location	Model	Maximum Continuous Rating (hp)	Fuel	Construction Commenced
EU	EP					
28	G-16	Student Union	Koehler 300 REOZV	400	Diesel	2008
29	G-17	Bank of Kentucky	Koehler 1000 REOZDC	1,300	Diesel	2008
31	G-20	Maintenance Building	Koehler 500REOZVB	757	Diesel	8/1/2011
35	G-21	Northern Terrace	Cummins 80DSFAE	145	Diesel	2013
44	G-02	Math, Education, and Psychology	Cummins C150D6D	237	Diesel	6/2022
46	G-07	Landrum Hall	Kohler 125REOZJG	167	Diesel	5/2022
52	G-09	Dorm Complex	Cummins GCTAA	352	Diesel	1/2024
54	19	Steely Library	Cummins DQCB	352	Diesel	6/2024

APPLICABLE REGULATIONS:

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

401 KAR 60:005, Section 2(2)(dddd) 40 C.F.R. 60.4200 through 60.4219, Tables 1 through 8 (**Subpart III**), *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

1. Operating Limitations:

- a. The permittee shall meet the requirements of 40 CFR Part 63 by meeting the requirements of 40 CFR 60, Subpart III. No further requirements apply under 40 CFR Part 63. [40 CFR 63.6590(c) and 63.6590(c)(1)]
- b. The permittee shall install a non-resettable hour meter prior to startup of the engine. [40 CFR 60.4209(a)]
- c. The permittee of stationary CI ICE with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. [40 CFR 60.4207(b)]
- d. The permittee shall comply with the emission standards specified in 40 CFR 60, Subpart III and shall do all of the following, [40 CFR 60.4211(a)]
 - i. Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions; [40 CFR 60.4211(a)(1)]
 - ii. Change only those emission-related settings that are permitted by the manufacturer; and [40 CFR 60.4211(a)(2)]
 - iii. Meet the requirements of 40 CFR 1068, as they apply. [40 CFR 60.4211(a)(3)]

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

- e. The permittee shall operate the emergency stationary ICE according to the requirements in 40 CFR 60.4211(f)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR 60, Subpart III, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 60.4211(f)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 60.4211(f)(1) through (3), the engine will not be considered an emergency engine under 40 CFR 60, Subpart III and shall meet all requirements for non-emergency engines. [40 CFR 60.4211(f)]
 - i. There is no time limit on the use of emergency stationary ICE in emergency situations. [40 CFR 60.4211(f)(1)]
 - ii. The permittee shall operate the emergency stationary ICE for any combination of the purposes specified in 40 CFR 60.4211(f)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 60.4211(f)(3) counts as part of the 100 hours per calendar year allowed by 40 CFR 60.4211(f)(2). Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmissions organization, or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year. [40 CFR 60.4211(f)(2) and 40 CFR 60.4211(f)(2)(i)]
 - iii. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 60.4211(f)(2). Except as provided in 40 CFR 60.4211(f)(3)(i), the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [40 CFR 60.4211(f)(3) and 60.4211(f)(3)(i)]
 - A. The engine is dispatched by the local balancing authority or local transmission and distribution system operator; [40 CFR 60.4211(f)(3)(i)(A)]
 - B. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. [40 CFR 60.4211(f)(3)(i)(B)]
 - C. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. [40 CFR 60.4211(f)(3)(i)(C)]

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

- D. The power is provided only to the facility itself or to support the local transmission and distribution system. [40 CFR 60.4211(f)(3)(i)(D)]
- E. The permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine's permittee. [40 CFR 60.4211(f)(3)(i)(E)]
- 2. Emission Limitations:**
- a. The permittee shall comply with the emission standards for new nonroad CI engines in 40 CFR 60.4202, for all pollutants, for the same model year and maximum engine power. [40 CFR 60.4205(b)]
- Compliance Demonstration:*
The permittee shall comply by purchasing an engine certified to the emission standards in 40 CFR 60.4205(b) for the same model year and maximum engine power. The engine shall be installed and configured according to the manufacturer's specifications. [40 CFR 60.4211(c)]
- b. See **Section D, Source Emission Limitations and Testing Requirements.**
- c. The permittee shall meet the emission standards over the life of the engine [40 CFR 60.4206].
- 3. Testing Requirements:**
Testing shall be conducted at such times as may be requested by the Cabinet. [401 KAR 50:045, Section 1]
- 4. Specific Monitoring Requirements:**
- a. The permittee shall monitor hours of operation and fuel usage (gallons) for each unit on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall install non-resettable hour meters prior to startup of the engines. [40 CFR 60.4209(a)]
- 5. Specific Recordkeeping Requirements:**
- a. The permittee shall maintain records of the fuel usage (gallons), hours of operation, and reason for operation on a monthly basis. [401 KAR 52:030 Section 10]
- b. The permittee is not required to submit an initial notification. However, records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter shall be kept. The permittee shall record the time of operation of the engine and the reason the engine was in operation during that time. [40 CFR 60.4214(b)]
- c. If the engine operates for the purposes specified in 40 CFR 60.4211(f)(3)(i), the permittee shall submit an annual report according to the requirements in 40 CFR 60.4214(d)(1) through (3) [40 CFR 60.4214(d)].

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

- i. The report shall contain the following information: [40 CFR 60.4214(d)(1)]
 - A. Company name and address where the engine is located. [40 CFR 60.4214(d)(1)(i)]
 - B. Date of the report and beginning and ending dates of the reporting period. [40 CFR 60.4214(d)(1)(ii)]
 - C. Engine site rating and model year. [40 CFR 60.4214(d)(1)(iii)]
 - D. Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place. [40 CFR 60.4214(d)(1)(iv)]
 - E. Hours spent for operation for the purposes specified in 40 CFR 60.4211(f)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 60.4211(f)(3)(i). The report shall also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine. [40 CFR 60.4214(d)(1)(vii)]
- ii. The first annual report shall cover the calendar year 2015 and shall be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year shall be submitted no later than March 31 of the following calendar year. [40 CFR 60.4214(d)(2)]
- iii. The annual report shall be submitted electronically using the Subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (<http://cdx.epa.gov/>). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in 40 CFR 60.4. Beginning on February 26, 2025, submit annual report electronically according to 40 CFR 60.4214(g). [40 CFR 60.4214(d)(3)]

6. Specific Reporting Requirements:

See **Section F, Monitoring, Recordkeeping, and Reporting Requirements.**

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

Emission Units: 30 & 38 Two(2) Natural Gas Fired Emergency Generators

Description

Emission Units:		Location	Model	Maximum Continuous Rating (hp)	Fuel	Construction Commenced
EU	EP					
30		Soccer Stadium	Cummins GGHE-7530897; WSG-1068	176	Natural Gas	12/1/2008
38		Fine Arts Building	Cummins GGHG	137	Natural Gas	3/1/2008

APPLICABLE REGULATIONS:

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

1. Operating Limitations:

- a. The permittee shall be in compliance with the emission limitations and operating limitations that apply at all times [40 CFR 63.6605(a)].
- b. The permittee shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in 40 CFR 63, Subpart ZZZZ, Tables 1a, 2a, 2c, and 2d apply [40 CFR 63.6625(h)].
- c. The permittee shall operate each of the emergency stationary RICE according to the requirements in 40 CFR 63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE under 40 CFR 63, Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 63.6640(f)(1) through (4), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 63.6640(f)(1) through (4), the engine will not be considered an emergency engine under 40 CFR 63, Subpart ZZZZ and shall meet all requirements for non-emergency engines [40 CFR 63.6640(f)].
 - i. There is no time limit on the use of emergency stationary RICE in emergency situations [40 CFR 63.6640(f)(1)].
 - ii. The permittee may operate the emergency stationary RICE for any combination of the purposes specified in 40 CFR 63.6640(f)(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 63.6640(f)(3) and (4) counts as part of the 100 hours per calendar year allowed by 40 CFR 63.6640(f)(2). Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and

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

readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year [40 CFR 63.6640(f)(2) and 40 CFR 63.6640(f)(2)(i)].

- iii. Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 63.6640(f)(2). Except as provided in 40 CFR 63.6640(f)(4)(i) and (ii), the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [40 CFR 63.6640(f)(4) and 40 CFR 63.6640(f)(4)(ii)]
 - A. The engine is dispatched by the local balancing authority or local transmission and distribution system operator [40 CFR 63.6640(f)(4)(ii)(A)].
 - B. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region [40 CFR 63.6640(f)(4)(ii)(B)].
 - C. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines [40 CFR 63.6640(f)(4)(ii)(C)].
 - D. The power is provided only to the facility itself or to support the local transmission and distribution system [40 CFR 63.6640(f)(4)(ii)(D)].
 - E. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine permittee [40 CFR 63.6640(f)(4)(ii)(E)].

2. Emission Limitations:

See Section D, Source Emission Limitations and Testing Requirements.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. The permittee shall monitor natural gas usage (MMscf) for the engines on a monthly basis. [401 KAR 52:030, Section 10]

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

- b. The permittee shall monitor the hours of operation of each engine on a monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall keep records described in the following; [40 CFR 63.6655(a)]
 - i. A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv). [40 CFR 63.6655(a)(1)]
 - ii. Records of the occurrence and duration (in hours) of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. [40 CFR 63.6655(a)(2)]
 - iii. Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii). [40 CFR 63.6655(a)(3)]
 - iv. Records of all required maintenance performed on the air pollution control and monitoring equipment. [40 CFR 63.6655(a)(4)]
 - v. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b) including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR 63.6655(a)(5)]
- b. Records shall be in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1). As specified in 40 CFR 63.10(b)(1), the permittee shall keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. The permittee shall keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). [40 CFR 63.6660]
- c. The permittee shall record the amount of natural gas (MMscf) for this emission unit and hours of operation for each engine on a monthly basis. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

- a. The permittee shall report each instance in which the operating limitations in **1. Operating Limitations** have not been met. These instances are deviations from the emission and operating limitation in 40 CFR 63, Subpart ZZZZ and shall be reported according to 40 CFR 63.6650. [40 CFR 63.6640(b)]
- b. The permittee shall submit each report in Table 7 to 40 CFR 63, Subpart ZZZZ, as applicable, and according to 40 CFR 63.6650. [40 CFR 63.6650(a)]
- c. See **Section F, Monitoring, Recordkeeping, and Reporting Requirements.**

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

Emission Units: 32, 33, 36, 37, 39, 40, 41, 42, 43 & 53

Emergency Generators: [Nine(9) Natural Gas & One(1) Propane]

Description

Emission Units:		Location	Model	Fuel	Maximum Continuous Rating (hp)	Construction Commenced
EU	EP					
32		Griffin Hall	Generac SG300	Natural Gas	402	12/1/2010
33		Educational Services/Administration Center	Kohler 350REXVB	Natural Gas	530	2012
36	G-06a	Albright Health Center	Kohler 150REZGC	Natural Gas	260	2015
37	G-06b	Albright Health Center	Kohler 150REZGC	Natural Gas	260	2015
39	G-03	University Police Building	Generac 65520	Natural Gas	30	3/18/2015
40		Health Innovation Center	Kohler 350REZXVB	Natural Gas	530	12/9/2016
41		Health Innovation Center	Kohler 350REZXVB	Natural Gas	530	12/9/2016
42		New Residence Hall (HJ)	Kohler 200REZXB	Natural Gas	302	7/2021
43		University Police Station	Kohler KG100	Propane	175	4/2022
53	G-11	Reagents Hall	Kohler KG2204T	Natural Gas	64.1	11/2023

APPLICABLE REGULATIONS:

401 KAR 60:005, Section 2(2)(eeee) 40 C.F.R. 60.4230 through 60.4248, Tables 1 through 4 (**Subpart JJJJ**), *Standards of Performance for Stationary Spark Ignition Internal Combustion Engines*.

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

1. Operating Limitations:

- a. The permittee shall meet the requirements of 40 CFR Part 63 by meeting the requirements of 40 CFR 60, Subpart JJJJ. No further requirements apply under 40 CFR Part 63. [40 CFR 63.6590(c) and 63.6590(c)(1)]
- b. The permittee shall operate and maintain stationary SI ICE that achieve the emission standards as required in 40 CFR 60.4233 over the entire life of the engine. [40 CFR 60.4234]
- c. The permittee shall not install engines that do not meet the required emission limitations. [40 CFR 60.4236(c)]

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

- d. The permittee shall operate the emergency stationary ICE according to the requirements in 40 CFR 60.4243(d)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR 60, Subpart JJJJ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 60.4243(d)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 60.4243(d)(1) through (3), the engine will not be considered an emergency engine under 40 CFR 60, Subpart JJJJ and shall meet all requirements for non-emergency engines. [40 CFR 60.4243(d)]
 - i. There is no time limit on the use of emergency stationary ICE in emergency situations. [40 CFR 60.4243(d)(1)]
 - ii. The permittee may operate the emergency stationary ICE for any combination of the purposes specified in 40 CFR 60.4243(d)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed in 40 CFR 60.4243(d)(3) counts as part of the 100 hours per calendar year allowed in 40 CFR 60.4243(d)(2). Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year. [40 CFR 60.4243(d)(2) and 60.4243(d)(2)(i)]
 - iii. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 60.4243(d)(2). Except as provided in 40 CFR 60.4243(d)(3)(i), the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [40 CFR 60.4243(d)(3) and 60.4243(d)(3)(i)]
 - A. The engine is dispatched by the local balancing authority or local transmission and distribution system operator; [40 CFR 60.4243(d)(3)(i)(A)]
 - B. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. [40 CFR 60.4243(d)(3)(i)(B)]
 - C. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. [40 CFR 60.4243(d)(3)(i)(C)]

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

- D. The power is provided only to the facility itself or to support the local transmission and distribution system. [40 CFR 60.4243(d)(3)(i)(D)]
- E. The permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine permittee. [40 CFR 60.4243(d)(3)(i)(E)]
- e. The permittee may operate this engine using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but shall keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the permittee is required to conduct a performance test do demonstrate compliance with the emission standards of 40 CFR 60.4233. [40 CFR 60.4243(e)]

2. Emission Limitations:

- a. The permittee shall comply with the emission standards in 40 CFR 60, Subpart JJJJ, Table 1: [40 CFR 60.4233(d)]
 - i. For stationary SI ICE with a maximum engine power greater than 25 hp and less than 130 hp, the permittee shall not exceed 10.0 g/hp-hr nitrogen oxides (NO_x) and 387 g/hp-hr carbon monoxide (CO). [40 CFR 60.4233(d), Referencing 40 CFR 60, Subpart JJJJ, Table 1]
 - ii. For stationary SI ICE with a maximum engine power greater than or equal to 130 hp, the permittee shall not exceed 2.0 g/HP-hr nitrogen oxides (NO_x), 4.0 g/hp-hr carbon monoxide (CO), and 1.0 g/hp-hr Volatile Organic Compounds (VOCs). [40 CFR 60.4233(e), Referencing 40 CFR 60, Subpart JJJJ, Table 1]

Compliance Demonstration:

The permittee shall demonstrate compliance according to one of the methods specified below [40 CFR 60.4243(b)]:

- 1) Purchasing an engine certified according to procedures specified in 40 CFR 60 Subpart JJJJ, for the same model year and demonstrating compliance according to one of the methods specified in 40 CFR 60.4243(a). [40 CFR 60.4243(b)(1)]
 - 2) Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in 40 CFR 60.4233(d) and according to the requirements specified in 40 CFR 60.4244. The permittee shall keep a maintenance plan and records of conducted maintenance and shall, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee shall conduct an initial performance test to demonstrate compliance. [40 CFR 60.4243(b)(2) and 40 CFR 60.4243(b)(2)(i)]
- b. See **Section D, Source Emission Limitations and Testing Requirements.**

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

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

a. The permittee shall monitor natural gas usage (MMscf) for the engines on a monthly basis. [401 KAR 52:030, Section 10]

b. The permittee shall monitor hours of operation for each engine on a monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

a. The permittee shall record the amount of natural gas consumed (standard cubic feet) for the engines on a monthly basis. [401 KAR 52:030, Section 10]

b. The permittee shall record the hours on a monthly basis and reason for operation of the engine. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

See **Section F, Monitoring, Recordkeeping, and Reporting Requirements.**

SECTION C - INSIGNIFICANT ACTIVITIES

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

Description			Location	Generally Applicable Regulation (401 KAR)
1	Natural Gas Water Heater	0.3 MMBtu/hr	Business Center	N/A
2	Natural Gas Water Heater	0.075 MMBtu/hr	Steely Library	N/A
3	Natural Gas Water Heater	0.5 MMBtu/hr	Science Center	N/A
4	Natural Gas Water Heater	0.5 MMBtu/hr	Science Center	N/A
5	Natural Gas Water Heater	0.2 MMBtu/hr	Science Center	N/A
6	Natural Gas Water Heater	0.4 MMBtu/hr	University Suites	N/A
7	Natural Gas Water Heater	0.4 MMBtu/hr	University Suites	N/A
8	Natural Gas Water Heater	0.4 MMBtu/hr	University Suites	N/A
9	Natural Gas Water Heater	0.4 MMBtu/hr	University Suites	N/A
10	Natural Gas Water Heater	0.5 MMBtu/hr	Norse Commons	N/A
11	Natural Gas Water Heater	0.5 MMBtu/hr	Norse Commons	N/A
12	Natural Gas Water Heater	0.5 MMBtu/hr	Norse Commons	N/A
13	Natural Gas Water Heater	0.5 MMBtu/hr	Commonwealth Hall	N/A
14	Natural Gas Water Heater	0.5 MMBtu/hr	Commonwealth Hall	N/A
15	Natural Gas Water Heater	0.5 MMBtu/hr	Norse Commons	N/A
16	Natural Gas Water Heater	0.66 MMBtu/hr	Regents Hall	N/A
17	Natural Gas Water Heater	0.5 MMBtu/hr	New Residence Hall	N/A
18	Natural Gas Water Heater	0.5 MMBtu/hr	New Residence Hall	N/A
19	Natural Gas Water Heater	0.5 MMBtu/hr	New Residence Hall	N/A
20	Natural Gas Water Heater	0.5 MMBtu/hr	New Residence Hall	N/A
21	Natural Gas Water Heater	0.2 MMBtu/hr	Soccer Stadium	N/A
22	Natural Gas Water Heater	0.2 MMBtu/hr	Soccer Stadium	N/A
23	Natural Gas Water Heater	0.2 MMBtu/hr	Soccer Stadium	N/A
24	Natural Gas Water Heater	0.2 MMBtu/hr	Soccer Stadium	N/A
25	Natural Gas Water Heater	0.2 MMBtu/hr	Soccer Stadium	N/A
26	Natural Gas Water Heater	0.2 MMBtu/hr	Soccer Stadium	N/A
27	Natural Gas Water Heater	0.2 MMBtu/hr	Soccer Stadium	N/A
28	Natural Gas Water Heater	0.2 MMBtu/hr	Soccer Stadium	N/A
29	Natural Gas Water Heater	0.4 MMBtu/hr	Callahan Hall	N/A
30	Natural Gas Water Heater	0.4 MMBtu/hr	Callahan Hall	N/A
31	Natural Gas Water Heater	0.5 MMBtu/hr	Callahan Hall	N/A
32	Natural Gas Water Heater	0.5 MMBtu/hr	Callahan Hall	N/A
33	Natural Gas Water Heater	0.5 MMBtu/hr	Callahan Hall	N/A
34	Natural Gas Water Heater	0.5 MMBtu/hr	Callahan Hall	N/A
35	Natural Gas Water Heater	0.04 MMBtu/hr	University Police	N/A
36	Natural Gas Water Heater	0.2 MMBtu/hr	Northern Terrace	N/A
37	Natural Gas Water Heater	0.2 MMBtu/hr	Northern Terrace	N/A
38	Natural Gas Water Heater	0.2 MMBtu/hr	Northern Terrace	N/A
39	Natural Gas Water Heater	0.2 MMBtu/hr	Fine Arts	N/A
40	Thermal Sols. Boiler	0.75 MMBtu/hr	Commonwealth Hall	N/A
41	Lochinvar AWH0500NPM	0.5 MMBtu/hr	Albright Health Center	N/A
42	Lochinvar AWH0500NPM	0.5 MMBtu/hr	Albright Health Center	N/A

SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)

43	AO Smith BHT-400A 300	0.40 MMBtu/hr	Norse Commons	N/A
44	Lochinvar AWH0400NPM	0.40 MMBtu/hr	Albright Health Center	N/A
TOTAL:		16.625 MMBtu/hr		

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. Particulate matter, opacity, and sulfur dioxide emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.
3. Source-wide emissions of nitrogen oxides (NO_x), including emissions from Insignificant Activities, shall not equal or exceed 90 tons on a rolling 12-month basis. [Preclude applicability of 401 KAR 52:020, *Title V permits*]

Compliance Demonstration Method:

12-month NO_x emissions shall be calculated using the following formula:

$$12\text{-month } NO_x \text{ (tons)} = \sum NO_x \text{ (ton / month)}$$

$$\sum NO_x = \text{Total } NO_x \text{ emissions (tons / month) from all units emitting } NO_x$$

Indirect Heat Exchangers:

$$NO_x \text{ Emissions (tons / month)} = \text{MMscf / month} \times EF \times (\text{ton} / 2000 \text{ lb})$$

$$EF = \text{Current AP-42 Emissions Factor in lb } NO_x / \text{MMscf}$$

Emergency Generators:

$$\text{Diesel } NO_x \text{ Emissions (tons / month)} = 1000 \text{ gallons / month} \times EF \times (\text{ton} / 2000 \text{ lb})$$

EF=Current AP-42 Emissions Factor in lb NO_x/1000 gallons or emission factor as determined by manufacturer model specific emission data.

$$\text{Natural Gas } NO_x \text{ Emissions (tons / month)} = \text{MMscf / month} \times EF \times (\text{ton} / 2000 \text{ lb})$$

$$EF = \text{Current AP-42 Emissions Factor in lb } NO_x / \text{MMscf}$$

To demonstrate compliance with this emission limitation, the 12-month rolling total shall be calculated monthly and reported semi-annually. (See Section F). The permittee shall maintain onsite, available for review by the Division, a log of the 12-month rolling total.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

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

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b-IV-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place (as defined in this permit), and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five (5) years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030, Section 3(1)(f)1a, and Section 1a-7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
3. In accordance with the requirements of 401 KAR 52:030, Section 3(1)f, the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].

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

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030, Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1, the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
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

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

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 certifications shall be sent to Division for Air Quality, Florence Regional Office, 8020 Veterans Memorial Drive Suite 110, Florence, KY 41042.
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)].
- 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)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

- 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 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.

SECTION G - GENERAL PROVISIONS (CONTINUED)**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-26-012.

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.

SECTION G - GENERAL PROVISIONS (CONTINUED)

- 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.
- 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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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.