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

AIR QUALITY PERMIT
Issued under 401 KAR 52:020

Permittee Name: Ohio Valley Aluminum Company, LLC
Mailing Address: 1100 Brooks Industrial Road
Shelbyville, KY 40065

Source Name: Ohio Valley Aluminum Company, LLC
Mailing Address: 1100 Brooks Industrial Road
Shelbyville, KY 40065

Source Location: Same as above
Permit: F-22-036
Agency Interest: 3953
Activity: APE20220002
Review Type: Conditional Major, Operating
Source ID: 21-211-00001
Regional Office: Frankfort Regional Office
300 Sower Boulevard, 1st Floor
Frankfort, KY 40601
(502) 564-3358
County: Shelby
Application Complete Date: June 24, 2022
Issuance Date: 
Expiration Date: 

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

Version 4/1/2022
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Version 9/4/2019
SECTION A – PERMIT AUTHORIZATION

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

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

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

- D/F – Dioxin/Furan
- Division – Kentucky Division for Air Quality
- HAP – Hazardous air pollutants
- HF – Hydrogen Fluoride
- HCl – Hydrogen Chloride
- mmBTU/hr – Million British Thermal Units per Hour
- NOx – Nitrogen oxides
- OM&M – Operation, Maintenance and Monitoring
- PT – Total particulate matter
- PM10 – Particulate matter equal to or smaller than 10 micrometers
- PTE – Potential to Emit
- TEQ – International method of expressing toxicity equivalents for D/F
- VOC – Volatile Organic Compounds
- U.S. EPA – United States Environmental Protection Agency
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emission Point #01 (01)   Reverberatory Furnace #1
Emission Point #10 (05)   Reverberatory Furnace #5
Emission Point #12 (2)    Reverberatory Furnace #2

Description:
The Reverberatory Furnaces process coated and uncoated aluminum scrap. These are considered under 40 CFR 63, Subpart RRR to each be a “group 1 furnace without add-on air pollution control devices” for D/F only.

Maximum Throughput: 26,000 lbs of scrap/hr (each furnace)
Burner Capacity: 32 MMBtu/hr (each furnace)
Primary Fuel: Natural Gas
Construction Commenced: 5/8/1995 (Furnace #1), 9/1/1983 (Furnace #5), 1/1/1988 (Furnace #2), Modified 7/30/2020
Control Equipment: Lime-injected Baghouse (replaced in 2020)

APPLICABLE REGULATIONS:
401 KAR 59:010, New process operations
401 KAR 63:002, Section 2(4)(ccc), 40 C.F.R. 63.1500 to 63.1519, Tables 1 to 3 and Appendix A (Subpart RRR), National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production

1. Operating Limitations:
a. At all times, the permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.1506(a)(5)]

b. The permittee must provide and maintain easily visible labels posted at each group 1 furnace that identifies the applicable emission limits and means of compliance, including: [40 CFR 63.1506(b)]
i. The type of affected source or emission unit (e.g., scrap dryer/delacquering kiln/decoating kiln, group 1 furnace). [40 CFR 63.1506(b)(1)]
ii. The applicable operational standard(s) and control method(s) (work practice or control device). This includes, but is not limited to, the type of charge to be used for a furnace (e.g., clean scrap only, all scrap, etc.), flux materials and addition practices, and the applicable operating parameter ranges and requirements as incorporated in the OM&M plan. [40 CFR 63.1506(b)(2)]

c. For each affected source or emission unit subject to an emission limit in kg/Mg (lb/ton) or µg/Mg (gr/ton) of feed/charge, the permittee must: [40 CFR 63.1506(d)]
i. Except as provided in 40 CFR 63.1506(d)(3), install and operate a device that measures and records or otherwise determine the weight of feed/charge (or throughput) for each
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

operating cycle or time period used in the performance test; and [40 CFR 63.1506(d)(1)]

ii. Operate each weight measurement system or other weight determination in procedure accordance with the OM&M plan. [40 CFR 63.1506(d)(2)]

iii. The permittee may choose to measure and record aluminum production weight from an affected source or emission unit rather than feed/charge weight to an affected source or emission unit, provided that: [40 CFR 63.1506(d)(3)]
   (1) The aluminum production weight, rather than feed/charge weight is measured and recorded for all emission units within a SAPU; and [40 CFR 63.1506(d)(3)(i)]
   (2) All calculations to demonstrate compliance with the emission limits for SAPUs are based on aluminum production weight rather than feed/charge weight. [40 CFR 63.1506(d)(3)(ii)]

d. The permittee of a group 1 furnace (including a group 1 furnace that is part of a secondary aluminum processing unit) without add-on air pollution control devices must: [40 CFR 63.1506(n)]
   i. Operate each furnace in accordance with the work practice/pollution prevention measures documented in the OM&M plan and within the parameter values or ranges established in the OM&M plan. [40 CFR 63.1506(n)(2)]

e. When a process parameter or add-on air pollution control device operating parameter deviates from the value or range established during the performance test and incorporated in the OM&M plan, the permittee must initiate corrective action. Corrective action must restore operation of the affected source or emission unit (including the process or control device) to its normal or usual mode of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. Corrective actions taken must include follow-up actions necessary to return the process or control device parameter level(s) to the value or range of values established during the performance test and steps to prevent the likely recurrence of the cause of a deviation. [40 CFR 63.1506(p)]

f. Prior to changing furnace classifications to those not already authorized in SECTION B or SECTION H of final permit F-22-036, the permittee shall submit a permit application to incorporate the applicable standards from 40 CFR 63, Subpart RRR regarding changes in furnace classification. [401 KAR 52:030, Section 7]

g. The permittee shall not use reactive flux in the Reverberatory Furnaces. [Self-Imposed to Limit PTE]

h. The permittee shall not process scrap in more than two of Reverberatory Furnaces listed above simultaneously. [Self-Imposed to Limit PTE]

2. Emission Limitations:
   a. The permittee shall not cause, suffer, allow, or permit any continuous emission into the open air from a control device or stack associated with any affected facility which is equal to or greater than twenty (20) percent opacity. [401 KAR 59:010, Section 3(1)]
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE
REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

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

b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or
permit the emission into the open air of particulate matter from any affected facility which
is in excess of the quantity specified in 401 KAR 59:010, Appendix A: [401 KAR 59:010,
Section 3(2)]
   i. For process weight rates up to 0.5 ton/hr: \( E = 2.34 \)
   ii. For process weight rates up to 30 ton/hr: \( E = 3.59P^{0.62} \)

Where \( E \) is the rate of emission in lb/hr and \( P \) is the process weight rate in tons/hr (monthly
throughput in tons/monthly hours of operation).

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

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

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

c. The permittee must comply at all times with each applicable limit in section 40 CFR
63.1505, including periods of startup and shutdown. Table 1 to 40 CFR 63, Subpart RRR
summarizes the emission standards for each type of source. [40 CFR 63.1505(a)]

d. The permittee of a group 1 furnace must use the limit in 40 CFR 63.1505(i) to determine
the emission standards for a SAPU. [40 CFR 63.1505(i)]
   i. 15 µg of D/F TEQ per Mg (2.1×10^{-4} gr of D/F TEQ per ton) of feed/charge. [40 CFR
63.1505(i)(3)]

e. The permittee must comply with the emission limit calculated using the equation for D/F
in 40 CFR 63.1505(k)(3) for each secondary aluminum processing unit at a secondary
aluminum production facility. [40 CFR 63.1505(k)]
SECTIOn B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

i. For each SAPU, the permittee must not discharge or allow to be discharged to the atmosphere any 3-day, 24-hour rolling average emissions of D/F in excess of: [40 CFR 63.1505(k)(3)]

\[
L_{CD/F} = \frac{\sum_{i=1}^{n}(L_{cilD/F} \times T_{ti})}{\sum_{i=1}^{n} T_{ti}}
\]

Where:
\(L_{cilD/F}\) = The D/F emission limit for individual emission unit \(i\) in 40 CFR 63.1505(i);
\(T_{ti}\) = The mass of feed/charge for 24 hours for individual emission unit \(i\); and
\(L_{CD/F}\) = The daily D/F emission limit for the secondary aluminum processing unit which is used to calculate the 3-day, 24-hour D/F emission limit applicable to the SAPU.

Compliance Demonstration Method:

i. Compliance shall be demonstrated by complying with 3. Testing Requirements, 4. Specific Monitoring Requirements, and 5. Specific Recordkeeping Requirements.

ii. For each SAPU, the permittee may demonstrate compliance with the emission limits specified in 40 CFR 63.1505(k)(3) by demonstrating that each emission unit within the SAPU is in compliance with the applicable emission limit of 40 CFR 63.1505(i). [40 CFR 63.1505(k)(5)]

iii. As an alternative to the procedures of 40 CFR 63.1510(t), the permittee may demonstrate, through performance tests, that each individual emission unit within the SAPU is in compliance with the applicable emission limits for the emission unit. [40 CFR 63.1510(u)]

iv. The permittee must demonstrate compliance during periods of startup and shutdown in accordance with 40 CFR 63.1513(f)(1) or determine the emissions per unit of feed/charge during periods of startup and shutdown in accordance with 40 CFR 63.1513(f)(2). Startup and shutdown emissions for group 1 furnaces must be calculated individually, and not on the basis of a SAPU. Periods of startup and shutdown are excluded from the calculation of SAPU emission limits in 40 CFR 63.1505(k), the SAPU monitoring requirements in 40 CFR 63.1510(t) and the SAPU emissions calculations in 40 CFR 63.1513(e). [40 CFR 63.1513(f)]

(1) For periods of startup and shutdown, records establishing a feed/charge rate of zero, and that the affected source or emission unit was either heated with electricity, propane or natural gas as the sole sources of heat or was not heated, may be used to demonstrate compliance with the emission limit, or [40 CFR 63.1513(f)(1)]

(2) For periods of startup and shutdown, divide the measured emissions in lb/hr or \(\mu\)g/hr or ng/hr by the feed/charge rate in tons/hr or Mg/hr from the most recent performance test associated with a production rate greater than zero, or the rated capacity of the affected source if no prior performance test data is available. [40 CFR 63.1513(f)(2)]

f. Refer to SECTION D for source-wide emission limitations. [To preclude 401 KAR 52:020]
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

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

   b. As required by 40 CFR 63.9(e) and (f), the permittee must provide notification of the anticipated date for conducting performance tests and visible emission observations. The permittee must notify the Administrator of the intent to conduct a performance test at least 60 days before the performance test is scheduled; notification of opacity or visible emission observations for a performance test must be provided at least 30 days before the observations are scheduled to take place. [40 CFR 63.1515(a)(6)]

   c. The permittee must use the following methods in Appendix A to 40 CFR 60 to determine compliance with the applicable emission limits or standards. [40 CFR 63.1511(c)]
      i. Method 1 for sample and velocity traverses. [40 CFR 63.1511(c)(1)]
      ii. Method 2 for velocity and volumetric flow rate. [40 CFR 63.1511(c)(2)]
      iii. Method 3 for gas analysis. [40 CFR 63.1511(c)(3)]
      iv. Method 4 for moisture content of the stack gas. [40 CFR 63.1511(c)(4)]
      v. Method 23 for the concentration of D/F. [40 CFR 63.1511(c)(7)]

   d. Establishment of monitoring and operating parameter values. The permittee must establish a minimum or maximum operating parameter value, or an operating parameter range for each parameter to be monitored as required by 40 CFR 63.1510 that ensures compliance with the applicable emission limit or standard. To establish the minimum or maximum value or range, the permittee must use the appropriate procedures in 40 CFR 63.1511 and submit the information required by 40 CFR 63.1515(b)(4) in the notification of compliance status report. The permittee may use existing data in addition to the results of performance tests to establish operating parameter values for compliance monitoring provided each of the following conditions are met to the satisfaction of the Administrator: [40 CFR 63.1511(g)]
      i. The complete emission test report(s) used as the basis of the parameter(s) is submitted. [40 CFR 63.1511(g)(1)]
      ii. The same test methods and procedures as required by this subpart were used in the test. [40 CFR 63.1511(g)(2)]
      iii. The owner or operator certifies that no design or work practice changes have been made to the source, process, or emission control equipment since the time of the report. [40 CFR 63.1511(g)(3)]
      iv. All process and control equipment operating parameters required to be monitored were monitored as required in 40 CFR 63, Subpart RRR and documented in the test report. [40 CFR 63.1511(g)(3)]
      v. If the permittee wants to conduct a new performance test and establish different operating parameter values, they must submit a revised site specific test plan and receive approval in accordance with 40 CFR 63.1511(a). In addition, if the permittee wants to use existing data in addition to the results of the new performance test to establish operating parameter values, they must meet the requirements in paragraphs 40 CFR 63.1511(g)(1) through (4). [40 CFR 63.1511(g)(4)]
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

e. Testing of commonly-ducted units within a secondary aluminum processing unit. When group 1 furnaces are included in a single existing SAPU or new SAPU, and the emissions from more than one emission unit within that existing SAPU or new SAPU are manifolded to a single control device, compliance for all units within the SAPU is demonstrated if the total measured emissions from all controlled and uncontrolled units in the SAPU do not exceed the emission limits calculated for that SAPU based on the applicable equation in 40 CFR 63.1505(k). [40 CFR 63.1511(h)]

f. Testing of commonly-ducted units not within a secondary aluminum processing unit. With the prior approval of the Administrator, the permittee may do combined performance testing of two or more individual affected sources or emission units which are not included in a single existing SAPU or new SAPU, but whose emissions are manifolded to a single control device. Any such performance testing of commonly-ducted units must satisfy the following basic requirements: [40 CFR 63.1511(i)]

i. All testing must be designed to verify that each affected source or emission unit individually satisfies all emission requirements applicable to that affected source or emission unit; [40 CFR 63.1511(i)(1)]

ii. All emissions of pollutants subject to a standard must be tested at the outlet from each individual affected source or emission unit while operating under the highest load or capacity reasonably expected to occur, and prior to the point that the emissions are manifolded together with emissions from other affected sources or emission units; [40 CFR 63.1511(i)(2)]

iii. The combined emissions from all affected sources and emission units which are manifolded to a single emission control device must be tested at the outlet of the emission control device; [40 CFR 63.1511(i)(3)]

iv. All tests at the outlet of the emission control device must be conducted with all affected sources and emission units whose emissions are manifolded to the control device operating simultaneously under the highest load or capacity reasonably expected to occur; and [40 CFR 63.1511(i)(4)]

v. For purposes of demonstrating compliance of a commonly-ducted unit with any emission limit for a particular type of pollutant, the emissions of that pollutant by the individual unit must be presumed to be controlled by the same percentage as total emissions of that pollutant from all commonly-ducted units are controlled at the outlet of the emission control device. [40 CFR 63.1511(i)(5)]

g. Group 1 furnace without add-on air pollution control devices. In the site-specific monitoring plan required by 40 CFR 63.1510(o), the permittee of a group 1 furnace without add-on air pollution control devices must include data and information demonstrating compliance with the applicable emission limits. [40 CFR 63.1512(e)]

i. If the group 1 furnace processes other than clean charge material, the permittee must conduct emission tests to measure emissions of D/F at the furnace exhaust outlet. [40 CFR 63.1512(e)(1)]

h. Feed/charge weight measurement. During the emission test(s) conducted to determine compliance with emission limits in a kg/Mg (lb/ton) format, the permittee subject to an emission limit in a kg/Mg (lb/ton) of feed/charge format, must measure (or otherwise
SECTIO N B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

determine) and record the total weight of feed/charge to the affected source or emission unit for each of the three test runs and calculate and record the total weight. The permittee that chooses to demonstrate compliance on the basis of the aluminum production weight must measure the weight of aluminum produced by the emission unit or affected source instead of the feed/charge weight. [40 CFR 63.1512(k)]

i. The permittee must use the following equation to determine compliance with an emission limit for D/F: [40 CFR 63.1513(b)(2)]

$$ E = \frac{C \times Q}{P} $$

Where:
- $E$ = Emission rate of D/F, μg/Mg (gr/ton) of feed;
- $C$ = Concentration of D/F, μg/dscm (gr/dscf);
- $Q$ = Volumetric flow rate of exhaust gases, in dscm/hr (dscf/hr); and
- $P$ = Production rate, in Mg/hr (ton/hr).

j. Conversion of D/F measurements to TEQ units. To convert D/F measurements to TEQ units, the owner or operator must use the procedures and equations in Interim Procedures for Estimating Risks Associated with Exposures to Mixtures of Chlorinated Dibenzo-p-Dioxins and -Dibenzofurans (CDDs and CDFs) and 1989 Update, incorporated by reference see 40 CFR 63.14. [40 CFR 63.1513(d)]

k. The permittee must use the procedures in 40 CFR 63.1513(e)(3) or the procedure in 40 CFR 63.1513(e)(4) to determine compliance with emission limits for a secondary aluminum processing unit (SAPU). [40 CFR 63.1513(e)]

i. Use the following equation to compute the mass-weighted D/F emissions for a secondary aluminum processing unit. Compliance is achieved if the mass-weighted emissions for the secondary aluminum processing unit ($E_{C_{D/F}}$) is less than or equal to the emission limit for the secondary aluminum processing unit ($L_{C_{D/F}}$) calculated using the equations in 40 CFR 63.1505(k). [40 CFR 63.1513(e)(3)]

$$ E_{C_{D/F}} = \frac{\sum_{i=1}^{n} (E_{t_{D/F}} \times T_{ti})}{\sum_{i=1}^{n} T_{ti}} $$

Where:
- $E_{C_{D/F}}$ = The mass-weighted D/F emissions for the secondary aluminum processing unit;
- $E_{t_{D/F}}$ = Measured D/F emissions for individual emission unit, or group of co-controlled emission units, $i$;
- $T_{ti}$ = The average feed rate for individual emission unit $i$ during the operating cycle or performance test period, or the sum of the average feed rates for all emission units in the group of co-controlled emission units $i$; and
- $n$ = The number of emission units, and groups of co-controlled emission units in the secondary aluminum processing unit.

ii. As an alternative to using the equation in 40 CFR 63.1513(e)(3), the permittee may demonstrate compliance for a secondary aluminum processing unit by demonstrating
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

that each existing group 1 furnace is in compliance with the emission limits for a new group 1 furnace in 40 CFR 63.1505(i). [40 CFR 63.1513(e)(4)]

4. Specific Monitoring Requirements:
   a. The permittee shall monitor the following for each emission unit: [401 KAR 52:030, Section 10]
      i. The monthly total process weight;
      ii. The monthly total hours of operation; and
      iii. The monthly total natural gas usage.

   b. The permittee shall perform a qualitative visual observation of the opacity of emissions from the stack no less frequently than once a month while the affected facility is operating. If visible emissions from the stack are observed (not including condensed water in the plume), then the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]

   c. The permittee shall calculate monthly and 12-month rolling emissions of NOx and HCl to ensure compliance with the source-wide emission limitations listed in SECTION D. [To preclude 401 KAR 52:020]

   d. The permittee must prepare and implement for each new or existing affected source and emission unit, a written OM&M plan. The permittee of an existing affected source must submit the OM&M plan to the Administrator no later than the compliance date established by 40 CFR 63.1501. The permittee of any new affected source must submit the OM&M plan to the Administrator within 90 days after a successful initial performance test under 40 CFR 63.1511(b), or within 90 days after the compliance date established by 40 CFR 63.1501 if no initial performance test is required. The plan must be accompanied by a written certification by the permittee that the OM&M plan satisfies all requirements of 40 CFR 63.1510 and is otherwise consistent with the requirements of 40 CFR 63, Subpart RRR. The permittee must comply with all of the provisions of the OM&M plan as submitted to the Administrator, unless and until the plan is revised in accordance with the following procedures. If the Administrator determines at any time after receipt of the OM&M plan that any revisions of the plan are necessary to satisfy the requirements of 40 CFR 63.1510 or 40 CFR 63, Subpart RRR, the permittee must promptly make all necessary revisions and resubmit the revised plan. If the permittee determines that any other revisions of the OM&M plan are necessary, such revisions will not become effective until the permittee submits a description of the changes and a revised plan incorporating them to the Administrator. Each plan must contain the following information: [40 CFR 63.1510(b)]
      i. Process and control device parameters to be monitored to determine compliance, along with established operating levels or ranges, as applicable, for each process and control device. [40 CFR 63.1510(b)(1)]
      ii. A monitoring schedule for each affected source and emission unit. [40 CFR 63.1510(b)(2)]
iii. Procedures for the proper operation and maintenance of each process unit and add-on control device used to meet the applicable emission limits or standards in 40 CFR 63.1505. [40 CFR 63.1510(b)(3)]

iv. Procedures for the proper operation and maintenance of monitoring devices or systems used to determine compliance, including: [40 CFR 63.1510(b)(4)]
   (3) Calibration and certification of accuracy of each monitoring device, at least once every 6 months, according to the manufacturer's instructions; and [40 CFR 63.1510(b)(4)(i)]
   (4) Procedures for the quality control and quality assurance of continuous emission or opacity monitoring systems as required by the general provisions in 40 CFR 63, Subpart A. [40 CFR 63.1510(b)(4)(ii)]

v. Procedures for monitoring process and control device parameters, including lime injection rates, procedures for annual inspections of afterburners, and if applicable, the procedure to be used for determining charge/feed (or throughput) weight if a measurement device is not used. [40 CFR 63.1510(b)(5)]

vi. Corrective actions to be taken when process or operating parameters or add-on control device parameters deviate from the value or range established in 40 CFR 63.1510(b)(1), including: [40 CFR 63.1510(b)(6)]
   (1) Procedures to determine and record the cause of an deviation or excursion, and the time the deviation or excursion began and ended; and [40 CFR 63.1510(b)(6)(i)]
   (2) Procedures for recording the corrective action taken, the time corrective action was initiated, and the time/date corrective action was completed. [40 CFR 63.1510(b)(6)(ii)]

vii. A maintenance schedule for each process that is consistent with the manufacturer's instructions and recommendations for routine and long-term maintenance. [40 CFR 63.1510(b)(7)]

viii. Documentation of the work practice and pollution prevention measures used to achieve compliance with the applicable emission limits and a site-specific monitoring plan as required in 40 CFR 1510(o) for each group 1 furnace not equipped with an add-on air pollution control device. [40 CFR 63.1510(b)(8)]

ix. Procedures to be followed when changing furnace classifications under the provisions of 40 CFR 63.1514. [40 CFR 63.1510(b)(9)]

e. The permittee shall inspect the labels for each group 1 furnace at least once per calendar month to confirm that posted labels as required by the operational standard in 40 CFR 63.1506(b) are intact and legible. [40 CFR 63.1510(c)]

f. The permittee of an affected source or emission unit subject to an emission limit in kg/Mg (lb/ton) or µg/Mg (gr/ton) of feed/charge, the permittee shall install, calibrate, operate, and maintain a device to measure and record the total weight of feed/charge to, or the aluminum production from, the affected source or emission unit over the same operating cycle or time period used in the performance test. As an alternative to a measurement device, the permittee may use a procedure acceptable to the Administrator to determine the total weight of feed/charge or aluminum production to the affected source or emission unit. [40 CFR 63.1510(e)]
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

i. The accuracy of the weight measurement device or procedure must be ±1 percent of the weight being measured. The permittee may apply to the permitting agency for approval to use a device of alternative accuracy if the required accuracy cannot be achieved as a result of equipment layout or charging practices. A device of alternative accuracy will not be approved unless the permittee provides assurance through data and information that the affected source will meet the relevant emission standard. [40 CFR 63.1510(e)(1)]

ii. The permittee shall verify the calibration of the weight measurement device in accordance with the schedule specified by the manufacturer, or if no calibration schedule is specified, at least once every 6 months. [40 CFR 63.1510(e)(2)]

g. These requirements apply to the permittee of a group 1 furnace that is not equipped with an add-on air pollution control device. [40 CFR 63.1510(o)]

i. The permittee shall develop, in consultation with the Administrator, a written site-specific monitoring plan. The site-specific monitoring plan shall be submitted to the Administrator as part of the OM&M plan. The site-specific monitoring plan shall contain sufficient procedures to ensure continuing compliance with all applicable emission limits and shall demonstrate, based on documented test results, the relationship between emissions of D/F, and the proposed monitoring parameters for each pollutant. Test data shall establish the highest level of D/F that will be emitted from the furnace in accordance with 40 CFR 63.1511(b)(1). If the Administrator determines that any revisions of the site-specific monitoring plan are necessary to meet the requirements of 40 CFR 63.1510 or 40 CFR 63, Subpart RRR, the permittee shall promptly make all necessary revisions and resubmit the revised plan. [40 CFR 63.1510(o)(1)]

(1) The permittee of an existing affected source shall submit the site-specific monitoring plan to the Administrator for review at least 6 months prior to the compliance date. [40 CFR 63.1510(o)(1)(i)]

(2) The Administrator will review and approve or disapprove a proposed plan, or request changes to a plan, based on whether the plan contains sufficient provisions to ensure continuing compliance with applicable emission limits and demonstrates, based on documented test results, the relationship between emissions of D/F and the proposed monitoring parameters for each pollutant. Test data shall establish the highest level of D/F that will be emitted from the furnace. Subject to approval of the OM&M plan, the highest levels may be determined by conducting performance tests and monitoring operating parameters in accordance with 40 CFR 63.1511(b)(1). [40 CFR 63.1510(o)(1)(ii)]

ii. Each site-specific monitoring plan shall document each work practice, equipment/design practice, pollution prevention practice, or other measure used to meet the applicable emission standards. [40 CFR 63.1510(o)(2)]

iii. Each site-specific monitoring plan shall include provisions for unit labeling as required in 40 CFR 63.1510(c), feed/charge weight measurement (or production weight measurement) as required in 40 CFR 63.1510(e) and flux weight measurement as required in 40 CFR 63.1510(j). [40 CFR 63.1510(o)(3)]

iv. If a continuous emission monitoring system is included in a site-specific monitoring plan, the plan shall include provisions for the installation, operation, and maintenance
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

of the system to provide quality-assured measurements in accordance with all applicable requirements of the general provisions in 40 CFR 63, Subpart A. [40 CFR 63.1510(o)(5)]

v. If a continuous opacity monitoring system is included in a site-specific monitoring plan, the plan shall include provisions for the installation, operation, and maintenance of the system to provide quality-assured measurements in accordance with all applicable requirements of 40 CFR 63, Subpart RRR. [40 CFR 63.1510(o)(6)]

vi. If a site-specific monitoring plan includes a scrap inspection program for monitoring the scrap contaminant level of furnace feed/charge materials, the plan shall include provisions for the demonstration and implementation of the program in accordance with all applicable requirements in 40 CFR 63.1510(p). [40 CFR 63.1510(o)(7)]

vii. If a site-specific monitoring plan includes a calculation method for monitoring the scrap contaminant level of furnace feed/charge materials, the plan shall include provisions for the demonstration and implementation of the program in accordance with all applicable requirements in 40 CFR 63.1510(q). [40 CFR 63.1510(o)(8)]

h. A scrap inspection program shall include: [40 CFR 63.1510(p)]
   i. A proven method for collecting representative samples and measuring the oil and coatings content of scrap samples; [40 CFR 63.1510(p)(1)]
   ii. A scrap inspector training program; [40 CFR 63.1510(p)(2)]
   iii. An established correlation between visual inspection and physical measurement of oil and coatings content of scrap samples; [40 CFR 63.1510(p)(3)]
   iv. Periodic physical measurements of oil and coatings content of randomly-selected scrap samples and comparison with visual inspection results; [40 CFR 63.1510(p)(4)]
   v. A system for assuring that only acceptable scrap is charged to an affected group 1 furnace; and [40 CFR 63.1510(p)(5)]
   vi. Recordkeeping requirements to document conformance with plan requirements. [40 CFR 63.1510(p)(6)]

i. Except as provided in 40 CFR 63.1510(u), the permittee shall calculate and record the 3-day, 24-hour rolling average emissions of D/F for each secondary aluminum processing unit on a daily basis. To calculate the 3-day, 24-hour rolling average, the permittee shall: [40 CFR 63.1510(t)]
   i. Calculate and record the total weight of material charged to each emission unit in the secondary aluminum processing unit for each 24-hour day of operation using the feed/charge weight information required in 40 CFR 63.1510(e). If the permittee chooses to comply on the basis of weight of aluminum produced by the emission unit, rather than weight of material charged to the emission unit, all performance test emissions results and all calculations must be conducted on the aluminum production weight basis. [40 CFR 63.1510(t)(1)]
   ii. Multiply the total feed/charge weight to the emission unit, or the weight of aluminum produced by the emission unit, for each emission unit for the 24-hour period by the emission rate (in lb/ton of feed/charge) for that emission unit (as determined during the performance test) to provide emissions for each emission unit for the 24-hour period, in pounds. [40 CFR 63.1510(t)(2)]
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

(1) Where no performance test has been conducted, for a particular emission unit, because the permittee has, with the approval of the Administrator, chosen to determine the emission rate of an emission unit by testing a representative unit, in accordance with 40 CFR 63.1511(f), the permittee shall use the emission rate determined from the representative unit in the SAPU emission rate calculation required in 40 CFR 63.1510(t)(4). [40 CFR 63.1510(t)(2)(i)]

iii. Divide the total emissions for each SAPU for the 24-hour period by the total material charged to the SAPU, or the weight of aluminum produced by the SAPU over the 24-hour period to provide the daily emission rate for the SAPU. [40 CFR 63.1510(t)(3)]

iv. Compute the 24-hour daily emission rate using the following equation: [40 CFR 63.1510(t)(4)]

\[ E_{day} = \frac{\sum_{i=1}^{n} (T_i \times ER_i)}{\sum_{i=1}^{n} T_i} \]

Where:
- \( E_{day} \) = The daily D/F emission rate for the secondary aluminum processing unit for the 24-hour period;
- \( T_i \) = The total amount of feed, or aluminum produced, for emission unit \( i \) for the 24-hour period (tons or Mg);
- \( ER_i \) = The measured emission rate for emission unit \( i \) as determined in the performance test (lb/ton or µg/Mg of feed/charge); and
- \( n \) = The number of emission units in the secondary aluminum processing unit.

v. Calculate and record the 3-day, 24-hour rolling average for each pollutant each day by summing the daily emission rates for each pollutant over the 3 most recent consecutive days and dividing by 3. The SAPU is in compliance with an applicable emission limit if the 3-day, 24-hour rolling average for each pollutant is no greater than the applicable SAPU emission limit determined in accordance with 40 CFR 63.1505(k)(3). [40 CFR 63.1510(t)(5)]

j. Refer to SECTION F for general monitoring requirements.

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of the following for each emission unit: [401 KAR 52:030, Section 10]
   i. The monthly total weight process;
   ii. The monthly total hours of operation; and
   iii. The monthly total natural gas usage.

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

c. The permittee shall maintain records of monthly and 12-month rolling emissions of NOx and HCl to ensure compliance with the source-wide emission limitations listed in SECTION D. [401 KAR 52:030, Section 10]
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

d. As required by 40 CFR 63.10(b), the permittee shall maintain files of all information (including all reports and notifications) required by the general provisions and 40 CFR 63, Subpart RRR. [40 CFR 63.1517(a)]

i. The permittee shall retain each record for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. The most recent 2 years of records shall be retained at the facility. The remaining 3 years of records may be retained off site; [40 CFR 63.1517(a)(1)]

ii. The permittee may retain records on microfilm, computer disks, magnetic tape, or microfiche; and [40 CFR 63.1517(a)(2)]

iii. The permittee may report required information on paper or on a labeled computer disk using commonly available and EPA-compatible computer software. [40 CFR 63.1517(a)(3)]

e. In addition to the general records required by 40 CFR 63.10(b), the permittee shall maintain records of: [40 CFR 63.1517(b)]

i. For each emission unit subject to an emission standard in kg/Mg (lb/ton) of feed/charge, records of feed/charge (or throughput) weights for each operating cycle or time period used in the performance test. [40 CFR 63.1517(b)(7)]

ii. Approved site-specific monitoring plan for a group 1 furnace without add-on air pollution control devices with records documenting conformance with the plan. [40 CFR 63.1517(b)(8)]

iii. Records of monthly inspections for proper unit labeling for each affected source and emission unit subject to labeling requirements. [40 CFR 63.1517(b)(13)]

iv. Records of annual inspections of emission capture/collection and closed vent systems, or if the alternative to the annual flow rate measurements is used, records of differential pressure; fan RPM or fan motor amperage; static pressure measurements; or duct centerline velocity using a hotwire anemometer, ultrasonic flow meter, cross-duct pressure differential sensor, venturi pressure differential monitoring or orifice plate equipped with an associated thermocouple, as appropriate. [40 CFR 63.1517(b)(14)]

v. Records for any approved alternative monitoring or test procedure. [40 CFR 63.1517(b)(15)]

vi. Current copy of all required plans, including any revisions, with records documenting conformance with the applicable plan, including: [40 CFR 63.1517(b)(16)]

(1) OM&M plan. [40 CFR 63.1517(b)(16)(ii)]

(2) Site-specific secondary aluminum processing unit emissions plan (if applicable). [40 CFR 63.1517(b)(16)(iii)]

vii. For each SAPU, records of total charge weight, or if compliance is on the basis of aluminum production, total aluminum produced for each 24-hour period and calculations of 3-day, 24-hour rolling average emissions. [40 CFR 63.1517(b)(17)]

viii. For any failure to meet an applicable standard, the permittee shall maintain the following records; [40 CFR 63.1517(b)(18)]

(1) Records of the emission unit ID, monitor ID, pollutant or parameter monitored, beginning date and time of the event, end date and time of the event, cause of the deviation or exceedance and corrective action taken. [40 CFR 63.1517(b)(18)(i)]

(2) Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.1506(a)(5), including corrective actions to restore
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR 63.1517(b)(18)(ii)]

ix. For each period of startup or shutdown for which the permittee chooses to demonstrate compliance for an affected source, the permittee shall comply with 40 CFR 63.(b)(19)(i) or (ii). [40 CFR 63.1517(b)(19)]

1) To demonstrate compliance based on a feed/charge rate of zero, a flux rate of zero and the use of electricity, propane or natural gas as the sole sources of heating or the lack of heating, the permittee shall submit a semiannual report in accordance with 40 CFR 63.1516(b)(2)(vii) or maintain the following records: [40 CFR 63.1517(b)(19)(i)]

(A) The date and time of each startup and shutdown; [40 CFR 63.1517(b)(19)(i)(A)]

(B) The quantities of feed/charge and flux introduced during each startup and shutdown; and [40 CFR 63.1517(b)(19)(i)(B)]

(C) The types of fuel used to heat the unit, or that no fuel was used, during startup and shutdown; or [40 CFR 63.1517(b)(19)(i)(C)]

2) To demonstrate compliance based on performance tests, the permittee shall maintain the following records: [40 CFR 63.1517(b)(19)(ii)]

(A) The date and time of each startup and shutdown; [40 CFR 63.1517(b)(19)(ii)(A)]

(B) The measured emissions in lb/hr or µg/hr or ng/hr; [40 CFR 63.1517(b)(19)(ii)(B)]

(C) The measured feed/charge rate in tons/hr or Mg/hr from the most recent performance test associated with a production rate greater than zero, or the rated capacity of the affected source if no prior performance test data is available; and [40 CFR 63.1517(b)(19)(ii)(C)]

(D) An explanation to support that such conditions are considered representative startup and shutdown operations. [40 CFR 63.1517(b)(19)(ii)(D)]

f. Refer to SECTION F for general recordkeeping requirements.

6. Specific Reporting Requirements:
   a. Notification of compliance status report. The permittee of an existing affected source shall submit a notification of compliance status report within 60 days after the compliance date established by 40 CFR 63.1501. The permittee of a new affected source shall submit a notification of compliance status report within 90 days after conducting the initial performance test required by 40 CFR 63.1511(b), or within 90 days after the compliance date established by 40 CFR 63.1501 if no initial performance test is required. The notification shall be signed by the responsible official who shall certify its accuracy. A complete notification of compliance status report shall include the information specified in 40 CFR 63.1515(a)(1) through (10). The required information may be submitted in an operating permit application, in an amendment to an operating permit application, in a separate submittal, or in any combination. In a State with an approved operating permit program where delegation of authority under section 112(l) of the CAA has not been requested or approved, the permittee shall provide duplicate notification to the applicable Regional Administrator. If the permittee submits the information specified in this section at different times or in different submittals, later submittals may refer to earlier submittals.
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

instead of duplicating and resubmitting the information previously submitted. A complete notification of compliance status report shall include: [40 CFR 63.1515(b)]

i. All information required in 40 CFR 63.9(h). The permittee shall provide a complete performance test report for each affected source and emission unit for which a performance test is required. A complete performance test report includes all data, associated measurements, and calculations (including visible emission and opacity tests). [40 CFR 63.1515(b)(1)]

ii. The approved site-specific test plan and performance evaluation test results for each continuous monitoring system (including a continuous emission or opacity monitoring system). [40 CFR 63.1515(b)(2)]

iii. Unit labeling as described in 40 CFR 63.1506(b), including process type or furnace classification and operating requirements. [40 CFR 63.1515(b)(3)]

iv. The compliant operating parameter value or range established for each affected source or emission unit with supporting documentation and a description of the procedure used to establish the value (e.g., lime injection rate, total reactive chlorine flux injection rate, total reactive fluorine flux injection rate for uncontrolled group 1 furnaces, afterburner operating temperature, fabric filter inlet temperature), including the operating cycle or time period used in the performance test. [40 CFR 63.1515(b)(4)]

v. Design information and analysis, with supporting documentation, demonstrating conformance with the requirements for capture/collection systems in 40 CFR 63.1506(c). [40 CFR 63.1515(b)(5)]

vi. If applicable, analysis and supporting documentation demonstrating conformance with EPA guidance and specifications for bag leak detection systems in 40 CFR 63.1510(f). [40 CFR 63.1515(b)(6)]

vii. The OM&M plan (including site-specific monitoring plan for each group 1 furnace with no add-on air pollution control device). [40 CFR 63.1515(b)(9)]

b. Excess emissions/summary report. The permittee shall submit semiannual reports according to the requirements in 40 CFR 63.10(e)(3). Except, the permittee shall submit the semiannual reports within 60 days after the end of each 6-month period instead of within 30 days after the calendar half as specified in 40 CFR 63.10(e)(3)(v). When no deviations of parameters have occurred, the permittee shall submit a report stating that no excess emissions occurred during the reporting period. [40 CFR 63.1516(b)]

i. A report shall be submitted if any of these conditions occur during a 6-month reporting period: [40 CFR 63.1516(b)(1)]

   (1) An excursion of a compliant process or operating parameter value or range (lime injection rate or screw feeder setting, afterburner operating temperature, fabric filter inlet temperature, definition of acceptable scrap, or other approved operating parameter); [40 CFR 63.1516(b)(1)(iv)]

   (2) An affected source (including an emission unit in a secondary aluminum processing unit) was not operated according to the requirements of 40 CFR 63, Subpart RRR; and [40 CFR 63.1516(b)(1)(vi)]

   (3) A deviation from the 3-day, 24-hour rolling average emission limit for a SAPU. [40 CFR 63.1516(b)(1)(vii)]

ii. For each affected source choosing to demonstrate compliance during periods of startup and shutdown in accordance with 40 CFR 63.1513(f)(1): “During each startup and
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

shutdown, no flux and no feed/charge were added to the emission unit, and electricity, propane or natural gas were used as the sole source of heat or the emission unit was not heated.” [40 CFR 63.1516(b)(2)(vii)]

iii. The permittee shall submit the results of any performance test conducted during the reporting period, including one complete report documenting test methods and procedures, process operation, and monitoring parameter ranges or values for each test method used for a particular type of emission point tested. [40 CFR 63.1516(b)(3)]

(1) Within 60 days after the date of completing each performance test (as defined in 40 CFR 63.2) required by 40 CFR 63, Subpart RRR, the permittee shall submit the results of the performance tests, including any associated fuel analyses, following the procedure specified in 40 CFR 63.1516(b)(3)(i)(A) or (B). [40 CFR 63.1516(b)(3)(i)]

iv. A malfunction report that is required under 40 CFR 63.1516(d) shall be submitted simultaneously with the semiannual excess emissions/summary report required by CFR 63.1516(b). [40 CFR 63.1516(b)(4)]

c. If there was a malfunction during the reporting period, the permittee shall submit a report that includes the emission unit ID, monitor ID, pollutant or parameter monitored, beginning date and time of the event, end date and time of the event, cause of the deviation or exceedance and corrective action taken for each malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report shall include a list of the affected source or equipment, an estimate of the quantity of each regulated pollutant emitted over any emission limit, and a description of the method used to estimate the emissions, including, but not limited to, product-loss calculations, mass balance calculations, measurements when available, or engineering judgment based on known process parameters. The report shall also include a description of actions taken by the permittee during a malfunction of an affected source to minimize emissions in accordance with 40 CFR 63.1506(a)(5) and 63.1520(a)(8). [40 CFR 63.1516(d)]

d. All reports required by 40 CFR 63, Subpart RRR not subject to the requirements in 40 CFR 63.1516(b) shall be sent to the Administrator at the appropriate address listed in 40 CFR 63.13. If acceptable to both the Administrator and the permittee, these reports may be submitted on electronic media. The Administrator retains the right to require submittal of reports subject to 40 CFR 63.1516(b) in paper format. [40 CFR 63.1516(e)]

e. Refer to SECTION F for general reporting requirements.

7. Specific Control Equipment Operating Conditions:

a. The permittee shall install, operate, and maintain the control device(s) associated with each emission unit according to the manufacturer’s specifications and during all times that the associated emission unit is operating. [401 KAR 52:030, Section 10]

b. The permittee shall install, calibrate at least annually, and maintain a device for the measurement of pressure drop across the baghouse. The permittee shall monitor the pressure drop for the baghouse once per day except when the associated emission unit is not in operation. [401 KAR 52:030, Section 10]
c. The permittee shall maintain records of pressure drop readings monitored for the baghouse and calibration records for the monitoring device. [401 KAR 52:030, Section 10]

d. Refer to SECTION E.
### SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

<table>
<thead>
<tr>
<th>Emission Point #</th>
<th>Description</th>
<th>Maximum Capacity</th>
<th>Maximum Burner Capacity (MMBtu/hr)</th>
<th>Control Equipment</th>
<th>Construction Commenced</th>
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<tr>
<td>EP 11 (8)</td>
<td>Homogenizing Furnace #8</td>
<td>18,000 lbs of billets/hr; 65,000 tons/yr</td>
<td>28</td>
<td>None</td>
<td>10/1/2010</td>
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<tr>
<td>EP 06 (1B)</td>
<td>Homogenizing Furnace #6</td>
<td>12,500 lbs of billets/hr; 45,000 tons/yr</td>
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<td>EP 07 (7)</td>
<td>Homogenizing Furnace #7</td>
<td>19,167 lbs of billets/hr; 83,950 tons/yr</td>
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<td>None</td>
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<td>EP 14 (9)</td>
<td>Homogenizing Furnace #9</td>
<td>18,560 lbs of billets/hr; 81,300 tons/yr</td>
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<td>EP 08 (2B)</td>
<td>Aluminum Holding &amp; Alloying Furnace #2B</td>
<td>26,000 lbs of billets/hr; 113,880 tons/yr</td>
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<tr>
<td>EP 09 (04)</td>
<td>Aluminum Holding &amp; Alloying Furnace #4</td>
<td>26,000 lbs of billets/hr; 113,880 tons/yr</td>
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<td>None</td>
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**APPLICABLE REGULATION:**

401 KAR 59:010, *New process operations*

**STATE-ORIGIN REQUIREMENT:**

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

1. **Operating Limitations:**
   The permittee shall limit the operation of each emission unit so as not to exceed the emission limitations in SECTION D. [To preclude 401 KAR 52:020]

2. **Emission Limitations:**
   a. The permittee shall not cause, suffer, allow, or permit any continuous emission into the open air from a control device or stack associated with any affected facility which is equal to or greater than twenty (20) percent opacity. [401 KAR 59:010, Section 3(1)]

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

   b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of the quantity specified in 401 KAR 59:010, Appendix A: [401 KAR 59:010, Section 3(2)]
      i. For process weight rates up to 0.5 ton/hr:  \[ E = 2.34 \]
      ii. For process weight rates up to 30 ton/hr:  \[ E = 3.59P^{0.62} \]
   Where E is the rate of emission in lb/hr and P is the process weight rate in tons/hr (monthly throughput in tons/monthly hours of operation).
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

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

\[ PE = \frac{PW \times EF^*}{H} \]

Where:
- \( PE \) = particulate emissions in lb/hr;
- \( PW \) = process weight in tons/month;
- \( EF \) = particulate emission factor in lb/tons of process weight;
- \( \times \) The particulate emission factor shall be the number determined from AP-42 or MSDS, the most recent Division approved stack test, or Division approved value as found in KYEIS.
- \( H \) = total hours of operation in a month; and

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

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

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

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

4. Specific Monitoring Requirements:
a. The permittee shall monitor the following for each emission unit: [401 KAR 52:030, Section 10]
   i. The monthly total process weight;
   ii. The monthly total hours of operation; and
   iii. The monthly total natural gas usage.

b. The permittee shall perform a qualitative visual observation of the opacity of emissions from the stack no less frequently than once a month while the affected facility is operating. If visible emissions from the stack are observed (not including condensed water in the plume), then the permittee shall determine the opacity using U.S. EPA Reference
SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]

c. The permittee shall calculate monthly and 12-month rolling emissions of NOx to ensure compliance with the source-wide emission limitations listed in SECTION D. [To preclude 401 KAR 52:020]

5. **Specific Recordkeeping Requirements:**
   a. The permittee shall maintain records of the following for each emission unit: [401 KAR 52:030, Section 10]
      i. The monthly total process weight;
      ii. The monthly total hours of operation; and
      iii. The monthly total natural gas usage.

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

   c. The permittee shall maintain records of monthly and 12-month rolling emissions of NOx to ensure compliance with the source-wide emission limitations listed in SECTION D. [401 KAR 52:030, Section 10]

   d. Refer to SECTION F for general recordkeeping requirements.

6. **Specific Reporting Requirements:**
   Refer to SECTION F for general reporting requirements.
SECTION C - INSIGNIFICANT ACTIVITIES

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

<table>
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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. NOx, HCl, D/F, PM, and opacity emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.

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

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

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

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

The total monthly NOX emission rate (tons/month) as calculated above shall be used to show compliance with the rolling 12-month total limit using the following equation:

\[ NOx_{total} = \sum_{x=1}^{12} (E_{NOx})_x \]

Where:
- \( E_{NOX} \) = Total monthly NOX emissions
- \( x \) = month

4. Source-wide emissions of HCl shall not exceed 9 tons per year on a rolling 12-month basis. [To preclude 401 KAR 52:020]
SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS (CONTINUED)

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

\[
E_{HCl} \left( \frac{\text{tons}}{\text{month}} \right) = \sum_{i=1}^{n} PW_i \left( \frac{\text{tons}}{\text{month}} \right) \times EF_i \left( \frac{\text{lb}}{\text{tons}} \right) \times \left( \frac{1 - CE_i}{2000} \right) \]

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

The total monthly HCl emission rate (tons/month) as calculated above shall be used to show compliance with the source-wide rolling 12-month limit using the following equation:

\[
HCl_{\text{total}} = \sum_{x=1}^{12} (E_{HCl})_x
\]

Where:
\(E_{HCl}\) = Total monthly HCl emissions
\(x\) = month
SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

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

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 Title V Permits incorporated by reference in 401 KAR 52:030, Section 26, shall be defined as follows:
   a. For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
   b. For emissions of any regulated air pollutant, excluding those listed in F.8.a., that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
   c. All deviations from permit requirements, including those previously reported, shall be included in the semiannual report required by F.6.

9. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
   a. Identification of each term or condition;
   b. Compliance status of each term or condition of the permit;
   c. Whether compliance was continuous or intermittent;
   d. The method used for determining the compliance status for the source, currently and over the reporting period.
SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

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

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

10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within 30 days of the date the Kentucky Emissions Inventory System (KYEIS) emissions survey is mailed to the permittee. If a KYEIS emissions survey is not mailed to the permittee, then the permittee shall comply with all other emissions reporting requirements in this permit.

11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
   a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
      (1) The size and location of both the original and replacement units; and
      (2) Any resulting change in emissions;
   b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
   c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
   d. The replacement unit shall comply with all applicable requirements; and
   e. The source shall notify Regional office of all shutdowns and start-ups.
   f. Within six (6) months after installing the replacement unit, the owner or operator shall:
      (1) Re-install the original unit and remove or dismantle the replacement unit; or
      (2) Submit an application to permit the replacement unit as a permanent change.
SECTION G – GENERAL PROVISIONS

1. General Compliance Requirements

a. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030, Section 3(1)(b), and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a-2 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].

b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a-5 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].

c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030, Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:

(1) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030, Section 12;

(2) The Cabinet or the United States Environmental Protection Agency (U. S. EPA) determines that the permit must be revised or revoked to assure compliance with the applicable requirements;

(3) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

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

d. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a-6 and 7 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].
SECTION G – GENERAL PROVISIONS (CONTINUED)

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)].

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.
SECTION G – GENERAL PROVISIONS (CONTINUED)

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.

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
SECTION G – GENERAL PROVISIONS (CONTINUED)

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 is authorized by permit F-22-036.

5. Testing Requirements

a. Pursuant to 401 KAR 50:045, Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.

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

c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

6. Acid Rain Program Requirements

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


a. Pursuant to 401 KAR 52:030, Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
   (1) An emergency occurred and the permittee can identify the cause of the emergency;
   (2) The permitted facility was at the time being properly operated;
SECTION G – GENERAL PROVISIONS (CONTINUED)

(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 82.155.

(5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156 and 40 CFR 82.157.

(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.


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
SECTION G – GENERAL PROVISIONS (CONTINUED)

Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to U.S. EPA using the RMP*eSubmit software.

b. If requested, submit additional relevant information to the Division or the U.S. EPA.
SECTION H - ALTERNATE OPERATING SCENARIOS:

None

SECTION I - COMPLIANCE SCHEDULE:

N/A