AIR QUALITY PERMIT
Issued under 401 KAR 52:030

Permittee Name: Owensboro Grain Edible Oils LLC
Mailing Address: P.O. Box 1787, Owensboro, KY 42302

Source Name: Owensboro Grain Edible Oils LLC
Mailing Address: same as above
Source Location: 1145 Ewing Road
Owensboro, KY 42301

Permit: F-22-002
Agency Interest: 939
Activity: APE20220001
Review Type: Conditional Major, Operating
Source ID: 21-059-00175

Regional Office: Owensboro Regional Office
3032 Alvey Park Dr. W., Suite 700
Owensboro, KY 42303
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County: Daviess

Application Complete Date: February 20, 2022
Issuance Date: 
Expiration Date:

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

Version 4/1/2022
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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

EP 002 (Bleaching Clay Storage Silo)

Description:
Maximum Rated Capacity - 25 tons/hour
Date of Installation: October 1996
Control Equipment: Baghouse

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations.

1. Operating Limitations:
   a. The emission units shall not operate at rates greater than the capacities listed above. [401 KAR 52:030, Section 10]
   b. Processes may not operate without corresponding control device also in operation. [401 KAR 52:030, Section 10]

2. Emission Limitations:
   a. 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)]
      1) For \( P \leq 0.5 \) ton/hr: \( E = 2.34 \)
      2) For \( P \) from 0.5 ton/hr to 30 ton/hr: \( E = 3.59 P^{0.62} \)
      Where:
      \( E \) = rate of emission in lb/hr and;
      \( P \) = process weight rate in tons/hr
   b. Any continuous emissions into the open air shall not equal or exceed twenty percent (20%) opacity. [401 KAR 59:010, Section 3(1)(a)]

Compliance Demonstration Method:

a. The source is assumed to be in compliance with the PM emission limit, when the baghouses and filtered ductwork are operating and properly maintained. Refer to 4. Specific Monitoring Requirements and 7. Specific Control Equipment Operating Conditions.

b. For compliance with the opacity limitations, refer to 4. Specific Monitoring Requirements and 5. Specific Recordkeeping 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. Install, calibrate, maintain, and operate a pressure drop monitoring device to continuously monitor the differential pressure across the baghouse to ensure that pressure does not drop outside the pressure drop range documented by the manufacturer’s specifications or the pressure drop range determined during the most recent performance test. Personnel will monitor the differential pressure reading across the baghouse at least once per shift during all times of operation. [401 KAR 52:030, Section 10]

b. Following a reading outside of the pressure drop range documented by the manufacturer’s specifications or the pressure drop range determined during the most recent performance test:
   1) Maintenance personnel shall inspect the monitoring system, baghouse, and operations immediately; and take corrective action as soon as practicable.
   2) Upon completed corrective action, the permittee shall ensure pressure drop has returned to normal range. [401 KAR 52:030, Section 10]

c. In lieu of a pressure drop monitoring device, the permittee may submit to the Division, an alternate baghouse performance indicator plan.
   1) The performance plan shall identify and describe the parameters to be monitored or methods the owner or operator will use to ensure proper operation of the baghouse, monitoring frequency of the method, specify records to be retained and a plan of action when the baghouse is not operating as outlined by the plan.
   2) The plan shall be submitted to the Division prior to startup of the new, reconstructed, or modified affected facility.
   3) The plan shall be revised as needed to reflect any changing conditions at the source. Such revisions shall be dated and submitted to the Division before a source can operate pursuant to these revisions.

d. The permittee shall perform a qualitative visual observation of the opacity of emissions from the outlet of the control device no less frequently than once during each truck unloading operation while the affected facility is operating. If visible emissions from the control device 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]

e. The permittee shall monitor the following parameters:
   1) Monthly raw material throughput from the Bleaching Clay Storage Silo.
   2) Monthly hours of operation of the Bleaching Clay Storage Silo.
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. **Specific Recordkeeping Requirements:**
   
a. All routine and non-routine maintenance activities performed on the corresponding control device shall be recorded. [401 KAR 52:030, Section 10]

b. Records of pressure drop readings shall be maintained. [401 KAR 52:030, Section 10]

c. The permittee shall maintain a record of the following for the visual observations required by 4. **Specific Monitoring Requirements:** [401 KAR 52:030, Section 10]
   1) Records of all qualitative visual observations when a truck is being unloaded.
   2) Date (mm/dd/yyyy) of the observation made;
   3) Initials of the observer;
   4) Any emissions observed (yes/no);
   5) Any EPA Reference Method 9 readings taken; and
   6) Corrective actions (if any) including results due to observed emissions.

6. **Specific Reporting Requirements:**

   Refer to Section F for additional Requirements.

7. **Specific Control Equipment Operating Conditions:**

   Pursuant to 401 KAR 50:055, General compliance requirements, Section 2(5), all air pollution control equipment and all pollution control measures proposed by the application in response to which this permit is issued shall be in place, properly maintained, and in operation in accordance with the manufacture’s specifications and/or standard operating procedures at any time an affected facility for which the equipment and measures are designed is operated, except as provided by 401 KAR 50:055, Section 1. The permittee shall record the occurrence, duration, cause, and any corrective action taken for each incident when the emission points are in operation, but the associated control equipment is not.
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 005 (Haul Road and Yard Area)

Description:
Paved Haul Road and Yard Area
Date of Installation: October 1996
Control Equipment: Water Sprays

APPLICABLE REGULATIONS:

401 KAR 63:010, Fugitive emissions.

1. Operating Limitations:

   a. A person shall not cause, suffer, or allow any material to be handled, processed, transported, or stored; a building or its appurtenances to be constructed, altered, repaired, or demolished; or a road to be used without taking reasonable precaution to prevent particulate matter from becoming airborne. Reasonable precautions shall include, as applicable: [401 KAR 63:010, Section 3(1)]
      1) Use, if possible, of water or suitable chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;
      2) Application and maintenance of asphalt, oil, water, or suitable chemicals on roads, materials stockpiles, and other surfaces which can create airborne dusts;
      3) Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials, or the use of water sprays or other measures to suppress the dust emissions during handling. Adequate containment methods shall be employed during sandblasting or other similar operations.
      4) Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne;
      5) The maintenance of paved roadways in a clean condition; or
      6) The prompt removal of earth or other material from a paved street which earth or other material has been transported thereto by trucking or earth moving equipment or erosion by water.

   b. If dust, fumes, gases, mist, odorous matter, vapors, or any combination thereof escape from a building or equipment in such a manner and amount as to cause a nuisance or to violate any administrative regulation, the secretary may, based on the cause, type, or amount of a fugitive emission, order that the building or equipment in which processing, handling and storage are done be tightly closed and ventilated in such a way that all air and gases and air or gas borne material leaving the building or equipment are treated by removal or destruction of air contaminants before discharge to the open air. [401 KAR 63:010, Section 3(3)]

   c. At all times while in motion, open bodied trucks, operating outside company property, transporting materials likely to become airborne shall be covered. [401 KAR 63:010, Section 4(1)]
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

d. A person shall not cause, suffer, or allow earth or other material being transported by truck or earth moving equipment to be deposited onto a paved street or roadway. [401 KAR 63:010, Section 4(3)]

2. **Emission Limitations:**

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

   a. More than five (5) minutes of emission time during any sixty (60) minute observation period; or

   b. More than twenty (20) minutes of emission time during any twenty-four (24) hour period.

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 the reasonable precautions taken to prevent particulate matter from becoming airborne on a daily basis.

   b. If fugitive dust emissions beyond the lot line of the property are observed, the permittee shall conduct Reference Method 22 (visual determination of fugitive emissions) observations per Appendix A of 40 C.F.R. Part 60. In lieu of conducting U.S. EPA Reference Method 22, the permittee shall immediately perform a corrective action which results in no visible fugitive dust emissions beyond the lot line of the property.

5. **Specific Recordkeeping Requirements:**

   a. The permittee shall maintain a log of the reasonable precautions taken to prevent particulate matter from becoming airborne, on a daily basis. Notation of the operating status, downtime, or relevant weather conditions are acceptable for entry to the log.

   b. The permittee shall maintain a log of the following:
      1) Any Reference Method 22 performed and field records identified in Reference Method 22.
      2) Any corrective action taken and the results.

6. **Specific Reporting Requirements:**

   See Section F.8.
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 001 (Three Boilers)

Description:

Cleaver Brooks Boiler
Maximum Rated Capacity - 73.69 mmBtu/hr
Date of Installation: October 1996
Control Equipment: None
Primary Fuel: Natural Gas
Secondary Fuel: #2 Fuel Oil

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.

1. Operating Limitations:

   a. To preclude 40 CFR 63, Subpart JJJJJJ, this unit shall meet the definition of “gas-fired boiler” in 40 CFR 63.11237 at all times. This unit shall only burn liquid fuel during periods of gas curtailment, gas supply interruption, startups, or periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training of liquid fuel shall not exceed a combined total of 48 hours during any calendar year. For the purposes of this condition, the following definitions, found in 40 CFR 63.11237, shall apply: [40 CFR 63.11195(e)]

   1) Startup means:

      i) Either the first-ever firing of fuel in a boiler for the purpose of supplying useful thermal energy (such as steam or hot water) for heating and/or producing electricity, or for any other purpose, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the useful thermal energy (such as steam or hot water) from the boiler is supplied for heating and/or producing electricity, or for any other purpose, or

      ii) The period in which operation of a boiler is initiated for any purpose. Startup begins with either the first-ever firing of fuel in a boiler for the purpose of supplying useful thermal energy (such as steam or hot water) for heating, cooling or process purposes or producing electricity, or the firing of fuel in a boiler for any purpose after a shutdown event. Startup ends four hours after when the boiler supplies useful thermal energy (such as steam or hot water) for heating, cooling, or process purposes or generates electricity, whichever is earlier.

   2) Shutdown means the period in which cessation of operation of a boiler is initiated for any purpose. Shutdown begins when the boiler no longer supplies useful thermal energy (such as steam or hot water) for heating, cooling, or process purposes or generates electricity, or when no fuel is being fed to the boiler, whichever is earlier. Shutdown ends when the boiler no longer supplies useful thermal energy (such as
steam or hot water) for heating, cooling, or process purposes or generates electricity, and no fuel is being combusted in the boiler.

3) *Useful thermal energy* means energy (i.e., steam or hot water) that meets the minimum operating temperature, flow, and/or pressure required by an energy use system that uses energy provided by the affected boiler.

4) *Energy use system*
   i) Includes the following systems located on the site of the affected boiler that use energy provided by the boiler:
      A) Process heating; compressed air systems; machine drive (motors, pumps, fans); process cooling; facility heating, ventilation, and air conditioning systems; hot water systems; building envelop; and lighting; or
      B) Other systems that use steam, hot water, process heat, or electricity, provided by the affected boiler.
   ii) Energy use systems are only those systems using energy clearly produced by affected boilers.

**Compliance Demonstration Method:**

See 4. **Specific Monitoring Requirements** a. and b., 5. **Specific Recordkeeping Requirements** a. and b., and 6. **Specific Reporting Requirements**.

b. During a startup or shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 59:015, Section 7.
   1) The permittee shall comply with 401 KAR 50:055, Section 2(5). [401 KAR 59:015, Section 7(1)(a)]
   2) 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)]
   3) 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 and shutdown periods. [401 KAR 59:015, Section 7(1)(c)]
   4) 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)].
   5) Startups and shutdowns shall be conducted according to either: [401 KAR 59:015, Section 7(1)(e)]
      i) The manufacturer’s recommended procedures [401 KAR 59:015, Section 7(1)(e)1] or
      ii) 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 Method:**

See 5. **Specific Recordkeeping Requirements** d.
2. Emission Limitations:

a. Pursuant to 40 CFR 60.42c(d), the owner or operator shall not combust fuel oil in the Cleaver Brooks boiler that contains greater than 0.5 weight percent sulfur.

Compliance Demonstration Method:

See 6. Specific Reporting Requirements.

b. Pursuant to 401 KAR 59:015, Section 4:
   1) Emissions of particulate matter shall not exceed 0.34 lb/mmBtu.
   2) Emissions shall not exhibit greater than 20 percent opacity except:
   3) Maximum of 40 percent opacity shall be permissible for not more than six (6) consecutive minutes in any 60 consecutive minutes during cleaning of the fire box or blowing soot.

c. Pursuant to 401 KAR 59:015, Section 5(1)(c), emissions of sulfur dioxide shall not exceed 1.25 lb/mmBtu.

Compliance Demonstration Method:

For the purpose of demonstration of continuing compliance, the unit is assumed to be in compliance with the above standards while burning natural gas. While firing #2 fuel oil, compliance shall be demonstrated by 4. Specific Monitoring Requirements c. and 5. Specific Recordkeeping Requirements c.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

a. The permittee shall monitor the type and amount of fuel combusted on a monthly basis as well as the hours of operation under each mode of operation. [401 KAR 52:030, Section 10]

b. The permittee shall monitor the reason #2 fuel oil is fired and the hours of operation while burning #2 fuel oil on a monthly basis. [401 KAR 52:030, Section 10]

c. If #2 fuel oil is fired, the permittee shall perform a qualitative visual observation of the emissions from the stack on a weekly basis and maintain a log of the observations. If visible emissions from the stack are seen, then the opacity shall be determined by U.S. EPA reference Method 9. If the opacity exceeds the standard, an inspection shall be
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

initiated for any necessary repairs. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of the following on the monthly basis: [401 KAR 52:030, Section 10]
   1) The type and amount of fuel combusted.
   2) The hours of operation while firing #2 fuel oil.
   3) The reason #2 fuel oil is fired (gas curtailment, gas supply emergencies, or periodic testing on liquid fuel).

b. For startups on liquid fuel, the permittee shall maintain records of: [401 KAR 52:030, Section 10]
   1) The time startup begins;
   2) The time the fuel switch from liquid to gas is completed;
   3) The time that useful thermal energy is supplied by the boiler; and
   4) Which 40 CFR 63.11237 definition of “startup” is being followed.

c. If #2 fuel oil is fired, the permittee shall maintain records of weekly qualitative visible observations of the emissions from the stack and the opacity determined by U.S. EPA Reference Method 9, if any were taken, and repairs that were made due to any opacity reading which exceeded the standard [401 KAR 52:030, Section 10].

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

6. Specific Reporting Requirements:

If fuel oil is fired in the unit, the permittee shall include in semi-annual compliance report the fuel supplier certification and a certified statement signed by the owner or operator of the affected facility that the record of the fuel supplier certification submitted represent the fuel oil combusted during that reporting period. [401 KAR 52:030, Section 10]
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 001 (Three Boilers) Continued

Description:
Geka Boiler
Maximum Rated Capacity - 5 mmBtu/hr
Date of Installation: October 1996
Control Equipment: None
Primary Fuel: Natural Gas
Secondary Fuel: #2 Fuel Oil

Geka Boiler
Maximum Rated Capacity - 5 mmBtu/hr
Date of Installation: October 1996
Control Equipment: None
Primary Fuel: Natural Gas
Secondary Fuel: #2 Fuel Oil

APPLICABLE REGULATIONS:

401 KAR 59:015, New indirect heat exchangers.

1. Operating Limitations:

   a. To preclude 40 CFR 63, Subpart JJJJJJ, this unit shall meet the definition of “gas-fired boiler” in 40 CFR 63.11237 at all times. This unit shall only burn liquid fuel during periods of gas curtailment, gas supply interruption, startups, or periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training of liquid fuel shall not exceed a combined total of 48 hours during any calendar year. For the purposes of this condition, the following definitions, found in 40 CFR 63.11237, shall apply: [40 CFR 63.11195(e)]

   1) Startup means:

      i) Either the first-ever firing of fuel in a boiler for the purpose of supplying useful thermal energy (such as steam or hot water) for heating and/or producing electricity, or for any other purpose, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the useful thermal energy (such as steam or hot water) from the boiler is supplied for heating and/or producing electricity, or for any other purpose, or

      ii) The period in which operation of a boiler is initiated for any purpose. Startup begins with either the first-ever firing of fuel in a boiler for the purpose of supplying useful thermal energy (such as steam or hot water) for heating, cooling or process purposes or producing electricity, or the firing of fuel in a boiler for any purpose after a shutdown event. Startup ends four hours after when the boiler supplies useful thermal energy (such as steam or hot water) for heating, cooling, or process purposes or generates electricity, whichever is earlier.

   2) Shutdown means the period in which cessation of operation of a boiler is initiated for any purpose. Shutdown begins when the boiler no longer supplies useful thermal energy.
energy (such as steam or hot water) for heating, cooling, or process purposes or generates electricity, or when no fuel is being fed to the boiler, whichever is earlier. Shutdown ends when the boiler no longer supplies useful thermal energy (such as steam or hot water) for heating, cooling, or process purposes or generates electricity, and no fuel is being combusted in the boiler.

3) *Useful thermal energy* means energy (i.e., steam or hot water) that meets the minimum operating temperature, flow, and/or pressure required by an energy use system that uses energy provided by the affected boiler.

4) *Energy use system*
   
i) Includes the following systems located on the site of the affected boiler that use energy provided by the boiler:
   
   A) Process heating; compressed air systems; machine drive (motors, pumps, fans); process cooling; facility heating, ventilation, and air conditioning systems; hot water systems; building envelop; and lighting; or
   
   B) Other systems that use steam, hot water, process heat, or electricity, provided by the affected boiler.
   
   ii) Energy use systems are only those systems using energy clearly produced by affected boilers.

**Compliance Demonstration Method:**


b. During a startup or shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 59:015, Section 7.

1) The permittee shall comply with 401 KAR 50:055, Section 2(5). [401 KAR 59:015, Section 7(1)(a)]

2) 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)]

3) 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 and shutdown periods. [401 KAR 59:015, Section 7(1)(c)]

4) 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)].

5) Startups and shutdowns shall be conducted according to either: [401 KAR 59:015, Section 7(1)(e)]

   i) The manufacturer’s recommended procedures [401 KAR 59:015, Section 7(1)(e)1] or

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

Compliance Demonstration Method:

See 5. Specific Recordkeeping Requirements e.

2. Emission Limitations:

a. Pursuant to 401 KAR 59:015, Section 4:
   1) Emissions of particulate matter shall not exceed 0.34 lb/mmBtu.
   2) Emissions shall not exhibit greater than 20 percent opacity except:
      i) For indirect heat exchangers with heat input capacity of less than 250 million BTU per hour, a maximum of 40 percent opacity shall be permissible for not more than 6 consecutive minutes in any 60 consecutive minutes during cleaning of the fire box or blowing soot.
      ii) For emissions from an indirect heat exchanger 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.

b. Pursuant to 401 KAR 59:015, Section 5(1)(c)1, emissions of sulfur dioxide shall not exceed 1.25 lb/mmBtu.

Compliance Demonstration Method:

For the purpose of demonstration of continuing compliance, the units are assumed to be in compliance with the above standards while burning natural gas. While firing #2 oil, compliance shall be demonstrated by 4. Specific Monitoring Requirements c. and 5. Specific Recordkeeping Requirements d.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

a. The permittee shall monitor the type and amount of fuel combusted on a monthly basis as well as the hours of operation under each mode of operation.

b. The permittee shall monitor the reason #2 fuel oil is fired and the hours of operation while burning #2 fuel oil on a monthly basis. [401 KAR 52:030, Section 10]

c. If #2 fuel oil is fired, the permittee shall perform a qualitative visual observation of the emissions from the stack on a weekly basis and maintain a log of the observations. If visible emissions from the stack are seen, then the opacity shall be determined by U.S. EPA reference Method 9. If the opacity exceeds the standard, an inspection shall be
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

initiated for any necessary repairs. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain the records of the type and amount of fuel combusted on a monthly basis as well as the hours of operation while burning #2 fuel oil.

b. The permittee shall document the reason #2 fuel oil is fired (gas curtailment, gas supply emergencies, or periodic testing on liquid fuel).

c. For startups on liquid fuel, the permittee shall maintain records of: [401 KAR 52:030, Section 10]
   1) The time startup begins;
   2) The time the fuel switch from liquid to gas is completed;
   3) The time that useful thermal energy is supplied by the boiler; and
   4) Which 40 CFR 63.11237 definition of “startup” is being followed.

d. If #2 fuel oil is fired, the permittee shall maintain records of weekly qualitative visible observations of the emissions from the stack and the opacity determined by U.S. EPA Reference Method 9, if any were taken, and repairs that were made due to any opacity reading which exceeded the standard [401 KAR 52:030, Section 10].

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

6. Specific Reporting Requirements:

If fuel oil is fired in the unit, the permittee shall include in semi-annual compliance report the fuel supplier certification and a certified statement signed by the owner or operator of the affected facility that the record of the fuel supplier certification submitted represent the fuel oil combusted during that reporting period. [401 KAR 52:030, Section 10]
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 004 (Refining/Bleaching, Hydrogenation (2), Deodorization (2), Soap Stock, Filter Storage, and Hot Well)

Description:
Maximum Rated Capacity - 60 tons/hour
Date of Installation: October 1996
Control Equipment: Hood

APPLICABLE REGULATIONS:

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

1. Operating Limitations:
   a. See Section D, Source Emission Limitations.
   b. The capture efficiency for n-hexane at the hot well vent shall be maintained at a level of 12 percent (12%) or greater.

Compliance Demonstration Method:

The permittee shall test the capture efficiency for n-hexane at the hot well vent. Refer to 3. Testing Requirements.

2. Emission Limitations:

Pursuant to 401 KAR 63:020, Section 3, 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.

Compliance Demonstration Method:

The hot well is deemed in compliance when the capture efficiency is equal to or greater than 12%. Refer to 4. Specific Monitoring Requirements, 5. Specific Recordkeeping Requirements, and 6. Specific Reporting Requirements.

3. Testing Requirements:

The permittee shall submit to the Division a proposed capture efficiency testing protocol for n-hexane at the hot well vent for an approval and conduct a performance test on the hot well vent every 5 years. The protocol shall include the appropriate method, description of the method, and the parameters used in the method. (The last performance test was conducted on March 7, 2017)
SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

4. **Specific Monitoring Requirements:**

   The source shall monitor and record the n-hexane content of raw edible oil received at the plant. The source shall also calculate the annual emissions of n-hexane in tons (twelve month rolling total).

5. **Specific Recordkeeping Requirements:**

   The source shall keep a log of the n-hexane content of raw edible oil received, the monthly edible oil production rate, and the monthly calculated n-hexane emissions used to determine the twelve month rolling total of n-hexane emissions.

6. **Specific Reporting Requirements:**

   The source shall submit the monthly n-hexane emissions and use this to calculate the twelve month rolling total. The monthly n-hexane emission reports shall be submitted with the semi-annual report.

7. **Specific Control Equipment Operating Conditions:**

   The source shall operate the hood at the hot well during all hours of operation of the hot well.
**SECTION C - INSIGNIFICANT ACTIVITIES**

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Generally Applicable Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Edible Oil Receiving and Loadout</td>
<td>401 KAR 63:010</td>
</tr>
<tr>
<td>(Barge, Rail, and Truck), Crude Edible Oil Storage Tanks (7)</td>
<td></td>
</tr>
<tr>
<td>3 - 3.5 Million Pound Capacity Each</td>
<td></td>
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<tr>
<td>3 - 40 Million Pound Capacity Each</td>
<td></td>
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<tr>
<td>1 - 21 Million Pound Capacity</td>
<td></td>
</tr>
<tr>
<td>2. Sodium Hydroxide and Silicon Dioxide Storage and Handling</td>
<td>401 KAR 63:010</td>
</tr>
<tr>
<td>3. Tank Farm – Storage Tanks (45)</td>
<td>NA</td>
</tr>
<tr>
<td>4. Gasoline Storage Tank (550 Gallons)</td>
<td>NA</td>
</tr>
<tr>
<td>5. #2 Fuel Oil Storage Tank (15,000 Gallons)</td>
<td>NA</td>
</tr>
<tr>
<td>6. #2 Fuel Oil Storage Tank (15,000 Gallons)</td>
<td>NA</td>
</tr>
</tbody>
</table>
SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.

2. Particulate matter, sulfur dioxide, nitrogen oxide, mercury, carbon monoxide, and hydrogen chloride emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.

3. The source shall not emit more than 9.0 tons per year of n-hexane.

Compliance Demonstration Method:

a. The permittee shall monitor and record the concentration of n-hexane in the raw soybean oil received and the monthly oil production rate. Monthly calculations of n-hexane emissions will be recorded to ensure that no more than 9.0 tons per year of n-hexane are emitted.

b. The permittee shall maintain records of the degummed or crude oil that is purchased from outside sources for refining. Records shall include the n-Hexane content of the purchased oil.
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;
SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

d. The method used for determining the compliance status for the source, currently and over the reporting period.

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

f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, Owensboro Regional Office, 3032 Alvey Park Drive W., Suite 700, Owensboro, KY 42303.

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

11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:

a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
   1) The size and location of both the original and replacement units; and
   2) Any resulting change in emissions;

b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;

c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;

d. The replacement unit shall comply with all applicable requirements; and

e. The source shall notify Regional office of all shutdowns and start-ups.

f. Within six (6) months after installing the replacement unit, the owner or operator shall:
   1) Re-install the original unit and remove or dismantle the replacement unit; or
   2) Submit an application to permit the replacement unit as a permanent change.
SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

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

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

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

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

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

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

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

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

e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030, Section 3(1)(c)].
SECTION G - GENERAL PROVISIONS (CONTINUED)

f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030, Section 7(1)].

g. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-11 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].

h. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-3 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].

i. All emission limitations and standards contained in this permit shall be enforceable as a practical matter. All emission limitations and standards contained in this permit are enforceable by the U.S. EPA and citizens except for those specifically identified in this permit as state-origin requirements. [Section 1a-12 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].

j. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a-9 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].

k. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030, Section 11(3)].

l. This permit does not convey property rights or exclusive privileges [Section 1a-8 of the Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources incorporated by reference in 401 KAR 52:030, Section 26].

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

n. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
SECTION G - GENERAL PROVISIONS (CONTINUED)

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 and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.
SECTION G - GENERAL PROVISIONS (CONTINUED)

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

   No construction is authorized by Permit F-22-002.

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.

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;
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 82.166.

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

6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.
SECTION G - GENERAL PROVISIONS (CONTINUED)


   a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to U.S. EPA using the RMP* eSubmit software.

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

N/A

SECTION I – COMPLIANCE SCHEDULE

N/A