

**Commonwealth of Kentucky
Energy and Environment Cabinet
Department for Environmental Protection
Division for Air Quality
300 Sower Boulevard, 2nd Floor
Frankfort, Kentucky 40601
(502) 564-3999**

Draft

**AIR QUALITY PERMIT
Issued under 401 KAR 52:030**

Permittee Name: TRM NRE ACQUISITION LLC
Mailing Address: 1300 Kentucky Avenue
Paducah, KY 42003

Source Name: TRM NRE ACQUISITION LLC
Mailing Address: 1300 Kentucky Avenue
Paducah, KY 42003

Source Location: 1300 Kentucky Avenue, Paducah, KY
Permit ID: F-25-018
Agency Interest #: 3077
Activity ID: APE20220001/ APE20230001
Review Type: Conditional Major, Operating
Source ID: 21-145-00019

Regional Office: Paducah Regional Office
130 Eagle Nest Drive
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County: McCracken
Application
Complete Date: August 26, 2022
Issuance Date:
Expiration Date:

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

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Permit	Permit Type	Activity#	Complete Date	Issuance Date	Summary of Action
F-25-018	Renewal/ Admin Amend	APE20220001 APE20230001	8/26/2022 10/23/2023		Renewal and name change

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

EP03 (VMV117, VMV118) Vacublast Units.

VMV117 – Vacu-Blast Model 300063. Unit uses 80 Mesh glass beads (or equivalent) to clean metal parts.

Commenced date: 1990

Control Device: 400 SCFM Single Cyclone and a 67.5 sq. ft. filter

VMV118 – Vacu-Blast Model Mark III P Pressure Dry Honer Unit uses 80 Mesh glass beads (or equivalent) to clean metal parts.

Commenced date: 1989

Control Device: 1200 SCFM Single Cyclone and a 67.5 sq. ft. filter

Control efficiency: 99 percent

EP04 (VMV06) Rotoblaster

Pangborn Blast Cleaning Systems Model #: GLK-7

Control Device: 1,016 sq. ft. filter

Control efficiency: 99 percent

Commenced date: 2000

EP05 (VMV09) Abrasive blasting of locomotive parts and engines

Control Device: Four (4) 26,000 acfm baghouses, each is a Model 528 CT 2 manufactured by Carborundum Dust Control Systems and uses pulse air cleaning. Each baghouse has 550 bags (each bag is 5" in diameter and 132" long).

Control efficiency: 99 percent

Commenced date: 1969, Modified: 1999

EP06 (VMV11) Arc Welding

VMV11 is comprised of General Welding Equipment wire fed welding units, General Welding Equipment stick-type welding units, and General Welding Equipment combination welding units

Controls: Building enclosure, 70% capture on PM emissions.

Construction commenced: 1976 through 2013

APPLICABLE REGULATIONS:

401 KAR 59:010, *New process operations*

STATE-ORIGIN REQUIREMENTS:

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

1. Operating Limitations:

The particulate matter control device shall be in place and operated according to the manufacturer's specifications and recommendations at any time a given blasting machine is in use. [401 KAR 52:030, Section 10]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**2. Emission Limitations:**

- a. No person shall cause, suffer, allow, or permit any continuous emission into the open air from a control 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 **4. Specific Monitoring Requirements** and **5. Specific Recordkeeping Requirements** for opacity compliance demonstration.

- 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 ≤ 0.5 tons/hour: $E=2.34$
- ii. For process weight rates ≤ 30 tons/hour: $E=3.59P^{0.62}$

Where:

E = rate of the emission in lb/hr

P = process weight rate in tons/hr

Compliance Demonstration Method:

The source is assumed to be in compliance when the cyclones, filters and baghouses are properly operated and maintained. Refer to Subsection **4. Specific Monitoring Requirements** and **5. Specific Recordkeeping Requirements**.

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

Compliance Demonstration Method:

Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020 while adhering to the source-wide limit for nickel emissions specified in Section D.

3. Testing Requirements:

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

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

4. Specific Monitoring Requirements:

- a. The permittee shall perform a qualitative visual observation of the opacity of emissions at each stack no less than weekly while the affected facility is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]
- b. The permittee shall install, maintain and operate according to manufacturer's specifications a monitoring device (differential pressure gauges or manometers) to determine the pressure drop across the filters and baghouses once a day during the operation of the unit. [401 KAR 52:030, Section 10]
- c. The permittee shall monitor the 12-month rolling total single and combined HAPs emissions monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain a log of the qualitative visual observations made as specified in 4. Specific Monitoring Requirements including the date, time, initials of observer, whether any emissions were observed (yes/no), and any U.S. EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10].
- b. The permittee shall maintain a log of the pressure drop readings across the filters and baghouses, including the date, and document filter replacements. [401 KAR 52:030, Section 10]
- c. The permittee shall keep manufacturer's specification for control equipment on site. [401 KAR 52:030, Section 10].
- d. Monthly records shall be kept of all materials used containing HAP, including the product type, amount used and the weight percentages for HAPs. [401 KAR 52:030, Section 10].
- d. At the end of each month, HAP emissions shall be calculated according to Section D, and every month, a new 12-month rolling total for HAP emissions shall be calculated and recorded. [401 KAR 52:030, Section 10].

6. Specific Reporting Requirements:

- a. The permittee shall submit a copy of the inspection and repair log for those times when corrective actions are required due to an opacity exceedance and/or records of any U.S. EPA Reference Method 9 opacity observations as noted in 4. Specific Monitoring Requirements (a). Copies of these records shall be submitted as a part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10].
- b. The permittee shall report the amount of abrasive blasting and welding wire used, the amounts of HAPs contained in the materials, and the source wide monthly and 12- month

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

rolling total HAPs emissions as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10].

7. **Specific Control Equipment Operating Conditions:**
Refer to Section E

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**EP08 Indirect Heat Exchangers****Description:**

Three boilers: (1) Sellers 50HP Model 77 Commodore Boiler 2.093 MMBtu/hr, (1) 300HP 105E 150# Sellers Engineering Boiler 12.555 MMBtu/hr, and (1) Sellers 100HP 77C 150# Boiler 4.187 MMBtu/hr

Fuel: Natural Gas

Construction commenced: 1987

APPLICABLE REGULATIONS:

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

STATE-ORIGIN REQUIREMENT:

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

1. Operating Limitations:

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

- a. The permittee shall comply with 401 KAR 50:055, Section 2(5); [401 KAR 59:015, Section 7(1)(a)]
- b. 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)]
- c. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods; [401 KAR 59:015, Section 7(1)(c)]
- d. 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)]
- e. Startups and shutdowns shall be conducted according to either: [401 KAR 59:015, Section 7(1)(e)]
 - i. The manufacturer's recommended procedures; or [401 KAR 59:015, Section 7(1)(e)1.]
 - 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:

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

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**2. Emission Limitations:**

- a. The permittee shall not cause emissions of particulate matter in excess of 0.48 lb/MMBtu actual heat input. [401 KAR 59:015, Section 4(1)(c)]
- b. The permittee shall not cause emissions of particulate matter in excess of 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
 - i. A maximum of 40 percent opacity shall be allowed for a maximum of 6 consecutive minutes in any 60 consecutive minutes during fire box cleaning or soot blowing; and [401 KAR 59:015, Section 4(2)(b)]
 - ii. For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 4(2)(c)]
- c. The permittee shall not cause emissions of gases that contain sulfur dioxide in excess of 2.31 lb/MMBtu actual heat input. [401 KAR 59:015, Section 5(1)(c)]

Compliance Demonstration Method:

The permittee is assumed to be in compliance with the PM and SO₂ standards while burning natural gas. [401 KAR 50:045, Section 4(3)(c)1.]

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

Compliance Demonstration Method:

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

- e. Refer to Section D for the source-wide NO_x, VOC and HAPs emission limitations.

3. Testing Requirements:

Performance testing using the reference methods specified in 401 KAR 50:015 shall be conducted if required by the Cabinet. [401 KAR 50:045, Section 1, and 401 KAR 59:005, Section 2(2)]

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

4. Specific Monitoring Requirements:

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

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of the amount of natural gas combusted, in MMscf, on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall keep records of the manufacturer's recommended procedures for startup and shutdown, any instance in which the recommended procedures were not followed, and any corrective action taken. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

Refer to Section F.5.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**EP09a (VMV08) Train Locomotive Spray Booth**

Rated capacity: 2 HVLP guns (or equivalent) rated at 14 gal/hr each

Control Device: Water walls

Control Efficiency: 90 percent

Construction date: 1973

APPLICABLE REGULATIONS:

401 KAR 61:020, Existing Process Operations.

STATE-ORIGIN REQUIREMENTS:

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

1. Operating Limitations:

- a. The water walls shall be operated according to the manufacturer's specifications and recommendations at any time a given spray booth is in use. [401 KAR 52:030, Section 10]
- b. All booth doors shall be closed while painting except to allow for momentary entry and exit requirements of personnel. [401 KAR 52:030, Section 10]

2. Emission Limitations:

- a. No person shall cause, suffer, allow, or permit any continuous emission into the open air from a control or stack associated with any affected facility which is equal to or greater than forty (40) percent opacity. [401 KAR 61:020, Section 3 (1)]

Compliance Demonstration Method:

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

- b. No person shall cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.58 lb/hr. [401 KAR 61:020, Section 3(2)]

Compliance Demonstration Method:

The source is assumed to be in compliance when the water walls are properly operated and maintained. Refer to **4. Specific Monitoring Requirements** and **5. Specific Recordkeeping Requirements**.

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

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

Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020 while adhering to the source-wide limits for Cobalt and Ethyl Benzene emissions specified in Section D.

- d. See Section D for the source-wide VOC, HAPs emission limitations.

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 perform a qualitative visual observation of the opacity of emissions at each stack no less than weekly while the affected facility is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]
- b. The permittee shall perform a visual inspection of the water walls and make a verification of the uniformity of the water sheet across the surface of the water walls once per day during the operation of the unit. [401 KAR 52:030, Section 10]
- c. The permittee shall install, maintain and operate according to manufacturer's specifications a monitoring device (differential pressure gauges or manometers) to determine the pressure drop of the water walls once a day during the operation of the spray booth. [401 KAR 52:030, Section 10]
- d. The 12-month rolling total VOC and HAPs emissions shall be monitored monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain a log of the visual observations made as specified in 4. Specific Monitoring Requirements including the date, time, initials of observer, whether any emissions were observed (yes/no), and any U.S. EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain a log of the pressure drop readings and visual inspection of the water wall. For any booth that is not in operation on a given date, this fact should also be noted. [401 KAR 52:030, Section 10]
- c. The permittee shall keep manufacturer's specification for control equipment on site. [401 KAR 52:030, Section 10]

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

- d. Monthly records shall be kept of all materials used containing VOC and HAP, including the product type, amount used and the weight percentages for VOC and all individual HAPs. [401 KAR 52:030, Section 10]
- e. At the end of each month, VOC and HAP emissions shall be calculated per Section D of this permit, and every month, a new 12-month rolling total for VOC and HAP emissions shall be calculated. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

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

7. Specific Control Equipment Operating Conditions:

Refer to Section E

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**EP09b (VMV126) Train Locomotive Spray Booth.**

Rated capacity: 2 HVLP guns (or equivalent) rated at 14 gal/hr each
Control Device: A.J. Draille filters or equivalent
Control Efficiency: 99%
Construction commenced: 2000

EP20 (VMV105) Painting of engines and other parts.

30 ft deep open face spray paint booth with a 21,700 scfm ventilation system. DeVilbis HVLP gun (or equivalent) rated at 14 gal/hr, or a Graco air-assist spray gun (or equivalent) rated at 7.97 gal/hr may be used in the booth.
Controls: Double pleated cardboard filters (or equivalent)
Control efficiency: 97%
Construction projected: 1999

EP21 (PAU 1-4) Painting of locomotive

Painting of locomotive insides and other painting outside of permanent booths utilized one DeVilbis HVLP gun (or equivalent) rated at 14 gal/hr
Controls: 3-stage HEPA filter
Control efficiency: 95%
Construction: 1999

EP25 (SG-1) Painting of locomotive parts

The booth has 2 DeVilbis spray guns (or equivalent). Each gun is designed to operate at a maximum flow rate of 14 gal/hr. Paint booth equipped with a 32,500 scfm Airgaord ventilation system at both sides of the north end of the booth (a total of 2 systems)
Controls: filter
Control efficiency: 99%
Construction commenced: 1995

APPLICABLE REGULATIONS:

401 KAR 59:010, *New process operations*

STATE-ORIGIN REQUIREMENTS:

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

1. Operating Limitations:

The filters shall be in place and operated according to the manufacturer's specifications and recommendations at anytime a given spray booth is in use. [401 KAR 52:030, Section 10]

2. Emission Limitations:

- a. No person shall cause, suffer, allow, or permit any continuous emission into the open air from a control 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:

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

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

- b. No person shall cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 lb/hr. [401 KAR 59:010, Section 3(2)]

Compliance Demonstration Method:

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

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

Compliance Demonstration Method:

Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020 while adhering to the source-wide limits for Cobalt and Ethyl Benzene emissions specified in Section D.

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 perform a qualitative visual observation of the opacity of emissions at each stack no less than weekly while the affected facility is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]
- b. The permittee shall install, maintain and operate according to manufacturer's specifications a monitoring device (differential pressure gauges or manometers) to determine the pressure drop across the dry filters once a day during the operation of the spray booth. [401 KAR 52:030, Section 10]

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

- c. The 12-month rolling total VOC and HAPs emissions shall be monitored monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain a log of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements (a)** including the date, time, initials of observer, whether any emissions were observed (yes/no), and any U.S. EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain a log of the pressure drop readings across the filters, including the date, and document filter replacements. For any booth that is not in operation on a given date, this fact should also be noted. [401 KAR 52:030, Section 10]
- c. The permittee shall keep manufacturer's filter specifications on site. [401 KAR 52:030, Section 10]
- d. The permittee shall maintain monthly records of all materials used containing VOC and HAP, including the product type, amount used and the weight percentages for VOC and all individual HAPs. [401 KAR 52:030, Section 10]
- e. At the end of each month, VOC and HAP emissions shall be calculated per Section D of this permit, and every month, a new 12-month rolling total for VOC and HAP emissions shall be calculated. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

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

7. Specific Control Equipment Operating Conditions:

Refer to Section E

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**EP13 Degreasers****(VMV18-VMV20, VMV34, VMV37-VMV41, VMV43, VMV51-VMV56, VMV121)**

Description: All units are custom built dip tank style cold cleaning degreasers with tank covers except for VMV121. VMV121 is a Magnus spray sink style degreaser with a tank cover. VMV18, VMV34, VMV39, VMV43, VMV51, VMV52, VMV55, and VMV121 use pumped agitation. VMV121 has a sprayer rated for use at 50 psi.

VMV121 construction commenced: 1991

All other units' construction commenced: Prior to 1980

APPLICABLE REGULATIONS:

None

1. Operating Limitations:

The unit shall be maintained and operated according to the manufacturer's specifications and recommendations. [401 KAR 52:030, Section 10]

2. Emission Limitations:

See Section D for the source-wide VOC emission limitation.

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:

The permittee shall monitor the 12-month rolling total VOC emissions monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain monthly records of all materials used containing VOC including the product type, amount used and the weight percentages for VOC. [401 KAR 52:030, Section 10]
- b. At the end of each month, VOC emissions shall be calculated per Section D of this permit, and every month, a new 12-month rolling total for VOC emissions shall be calculated. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

The permittee shall report the number of gallons of each material applied, the amount of VOC's contained in the material, and the source wide monthly and 12 month rolling total VOC emissions as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**EP17 (VMV44 and VMV45) Dip Coating of Metal Parts**

VMV44: Devine Drawing 241-H-40 dip tank used for vacuum pressure impregnation of locomotive parts

Construction commenced: 1982

VMV45: 800 gallons dip tank used for sealing traction motors and a 175 gallons dip tank used for dipping small rotating equipment

Construction commenced: 1972

Five (5) ovens used to cure the coatings applied in the dip tanks. The ovens are used as needed and items from any tank may be cured in any oven, provided the size is appropriate. Three (3) of the ovens are heated by combustion of natural gas (1 with a 700,000 Btu/hr maximum heat input burner and 2 with a 425,000 Btu/hr maximum heat input burner), one (1) is heated by electricity, and one (1) is heated by steam.

APPLICABLE REGULATIONS:

401 KAR 63:020, *Potentially Hazardous matter or toxic substances. [State-Origin Requirement]*

1. Operating Limitations:

The unit shall be maintained and operated according to the manufacturer's specifications and recommendations. [401 KAR 52:030, Section 10]

2. Emission Limitations:

a. See Section D for the source-wide VOC and HAPs emission limitations.

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

Compliance Demonstration Method:

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

3. Testing Requirements:

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

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

4. Specific Monitoring Requirements:

The permittee shall monitor the 12-month rolling total VOC and HAPs emissions monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain monthly records of all materials used containing VOC and HAP, including the product type, amount used and the weight percentages for VOC and all individual HAPs. [401 KAR 52:030, Section 10]
- b. At the end of each month, VOC and HAP emissions shall be calculated per Section D of this permit, and every month, a new 12-month rolling total for VOC and HAP emissions shall be calculated. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

The permittee shall report the number of gallons of each coating applied, the amount of VOC's and HAP's contained in the coatings, and the source wide monthly and 12 month rolling total VOC and HAPs emissions as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**EP18 (VMV122) Testing of Locomotive Engines**

VMV122 – 2 test cells (A and B), each with 2-3 ft diameter, 70 ft stacks

Test cell A is west of test cell B

Test cell A construction commenced: prior to 1975

Test cell B construction commenced: after July 2, 1975

APPLICABLE REGULATIONS:

401 KAR 63:020, Potentially Hazardous matter or toxic substances. *[State-Origin Requirement]*

1. Operating Limitations:

The unit shall be maintained and operated according to the manufacturer's specifications and recommendations. [401 KAR 52:030, Section 10]

2. Emission Limitations:

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

Compliance Demonstration Method:

Based upon the emission rates of toxics and hazardous air pollutants determined by the Cabinet using information provided in the application and supplemental information submitted by the source, the Cabinet determines the affected facility to be in compliance with 401 KAR 63:020 while adhering to the source-wide limits for Formaldehyde emissions specified in Section D.

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:

The permittee shall monitor the 12-month rolling total NO_x, VOC and Formaldehyde emissions monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of the amount and type of fuel used on a monthly basis. [401 KAR 52:030, Section 10]

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

- b. At the end of each month, NO_x, VOC and Formaldehyde emissions shall be calculated per Section D of this permit, and every month, a new 12-month rolling total for NO_x, VOC and Formaldehyde emissions shall be calculated. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

The permittee shall report the amount and type of fuel used, and the source wide monthly and 12- month rolling total NO_x, VOC and Formaldehyde emissions as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]

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.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Ten (10) Enclosed Washers: 12,000 gallons 5,600 gallons 3,000 gallons 1,950 gallons 1,500 gallons 1,200 gallons 1,780 gallons 1,100 gallons 400 gallons 130 gallons	401 KAR 59:010
2. Two (2) Oil/Water Separators: 25 gallons per minute and 2,500 gallons per minute	None
3. EP23 Seventeen (17) Petroleum Products Storage Tanks: 1-10,000 Gallon Oil Tank (installed in 1955) 2-4,000 Gallon Oil Tanks (installed in 1960) 2-1,000 Gallon Oil Tanks (installed prior to 1970) 1-1,000 Gallon Oil Tank (installed in 1998) 1-500 Gallon Oil Tank (installed in 1996) 1-2,000 Gallon Oil Tank (installed in 1997) 1-4,000 Gallon Oil and Diesel Tank (installed in 1998) 3-10,000 Gallon Diesel Tanks (installed in 1993) 1-4,000 Gallon Diesel Tank (installed in 1960) 1-3,000 Gallon Diesel Tank (installed in 1993) 1-1,000 Gallon Diesel Tank (installed in 1993) 1-1,000 Gallon Gasoline Tank (installed in 1993) 1-1,000 Gallon Kerosene Tank (installed in 1993)	None
4. 7-Tanks for Storage of Liquids Containing NaOH 2-10,000 Gallon Storage Tanks (installed in 1994) 1-10,000 Gallon Storage Tank (installed in 1997) 1-9,000 Gallon Storage Tank (installed in 1997) 1-2,500 Gallon Storage Tank (installed in 1997) 1-2,500 Gallon Storage Tank (installed in 1998) 1-1,500 Gallon Storage Tank (installed in 1997)	None

SECTION C - INSIGNIFICANT ACTIVITIES

	<u>Description</u>	<u>Generally Applicable Regulation</u>
5.	EP 11 Fugitive Emissions from Haul Roads	401 KAR 63:010
6.	Plasma Cutter	401 KAR 59:010
7.	EP07 (VMV15) Heat Treatment Furnace 0.86 MMBtu/hr Commenced construction: 1927, modified in 2000	None
8.	EP010 Direct Heat Units – Natural Gas Usage total heat input capacity 192.100 mmBtu/hr Installation date: 1987 <ul style="list-style-type: none"> • 14 Rapid heaters - Model # 3089 Capacity: 13 mmBtu/hr, each • 1 Rapid heater - Model # 3049 Capacity: 4.25 mmBtu/hr • 2 Rupp Industries heaters - Model # CFA-20 Capacity: 1.123 mmBtu/hr, each • 2 Rapid heaters - Model # 2000 Capacity: 0.68 mmBtu/hr, each • 2 Hastings Industries heaters - Model # GL300XE Capacity: 0.228 mmBtu/hr, each • 2 Modine heaters - Model # PA200AB Capacity: 0.2 mmBtu/hr, each • 3 Modine heaters - Model # PA200AB Capacity: 0.152 mmBtu/hr, each • 5 Central Environmental Systems heaters - Model # TUS120B960A0 Capacity: 0.12 mmBtu/hr, each • 1 Empire heater - Model # VH-1150-FSP Capacity: 0.1155 mmBtu/hr • 3 Modine heaters - Model # PA75AB Capacity: 0.075 mmBtu/hr, each • 2 Modine heaters - Model # PAE75C Capacity: 0.075 mmBtu/hr, each • 2 Bonanza heaters - Model # B-1000 Capacity: 0.0333 mmBtu/hr, each 	401 KAR 63:020
9.	Spray Cans and Touch-up Operations (EP02)	401 KAR 61:020 401 KAR 63:021

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 12- consecutive months.
2. VOC, NO_x, HAPs Particulate Matter, and Opacity emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.
 - a. Source-wide emissions of VOC shall not exceed 90 tons during any consecutive 12-month period. [To preclude 401 KAR 51:017 and 401 KAR 52:020]

Compliance Demonstration Method:

$$\text{Monthly VOC Emissions} = \sum_{i=1}^n M_i \rho_i$$

Where;

- ρ = weight percent of VOC in each solvent containing material less water and/or exempt solvent used during the month, (lbs/lb).
- i = individual solvent containing material (i.e. primer, enamel and thinner, etc.)
- n = total number of solvent containing materials used
- M = pounds of solvent containing material “i” used

Source-wide VOC emissions = Σ [VOC emissions from spray coating operations] + Σ [VOC emissions from combustion units] + Σ [VOC emissions from insignificant activities, if applicable]

- b. Source-wide emissions of NO_x shall not exceed 90 tons during any consecutive 12-month period. [To preclude 401 KAR 51:017 and 401 KAR 52:020]

Compliance Demonstration Method:

Source-wide NO_x emissions = Σ [NO_x emissions from testing of locomotive engines] + Σ [NO_x emissions from combustion units] + Σ [NO_x emissions from insignificant activities, if applicable]

- c. Source-wide emissions of any single HAP shall not exceed nine tons during any consecutive 12-month period, except for Cobalt, Ethyl Benzene, Formaldehyde and Nickel. [To preclude 401 KAR 52:020]

To comply with 401 KAR 63:020, *Potentially hazardous matter or toxic substances*, Source-wide emissions of Cobalt (CAS# 7440-48-4) shall not exceed 0.00165 ton per year. Source-wide emissions of Ethyl Benzene (CAS# 100-41-4) shall not exceed 5.2 tons per year.

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

Source-wide emissions of Formaldehyde (CAS# 50-00-0) shall not exceed 2.13 tons per year.
Source-wide emissions of Nickel (CAS# 7440-02-0) shall not exceed 0.0292 ton per year.

Compliance Demonstration Method:

$$\text{Monthly HAP Emissions } HAP_j = \sum_{i=1}^n M_i \rho_i$$

Where;

- ρ = weight percent of HAP_j in material “i”, (lbs/lb).
- i = individual HAP containing material (i.e. primer, enamel and thinner, etc.)
- j = individual HAP emission (i.e. ethyl benzene, formaldehyde, etc.)
- n = total number of solvent containing materials used containing single HAP_j
- M = pounds of solvent containing material “i” used

Monthly Cobalt and Nickel Emissions =

$$\sum_{i=1}^n M_i \rho_i \times (1 - T.E./100) \times (1 - C.E./100)$$

Where;

- ρ = weight percent of solid HAP in material “i”, (lbs/lb).
- i = individual HAP containing material.
- n = total number of solvent containing materials used containing solid HAP
- M = pounds of solvent containing material “i” used
- T.E. = transfer efficiency of the application equipment, if applicable (%)
- C.E. = control efficiency of the PM/PM₁₀ control equipment, if applicable (%)

Source-wide HAP emissions = \sum [HAP emissions from spray painting operations] + \sum [HAP emissions from blasting and welding operations] + \sum [HAP emissions from combustion units] + \sum [HAP emissions from Insignificant Activities]

- d. Source-wide emissions of Combined HAPs shall not exceed 22.5 tons during any consecutive 12-month period. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

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

- Where; j = individual HAP emission
- m = total number of single HAP emissions

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

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

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

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

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, Paducah Regional Office, 130 Eagle Nest Drive, Paducah, KY 42003.
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.
- 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 authorized by this permit (F-25-018).

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*.
9. Risk Management Provisions
- a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk

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 (CONTINUED)

None

SECTION I - COMPLIANCE SCHEDULE

None