

**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 52:020**

Permittee Name: Tennessee Gas Pipeline Company, L.L.C.
Mailing Address: 1380 Hobson Road
Campbellsville, KY 42718

Source Name: Tennessee Gas Pipeline Company, L.L.C. - Station 96
Mailing Address: 1380 Hobson Road
Campbellsville, KY 42718

Source Location: 1380 Hobson Road, Campbellsville, KY 42718

Permit ID: V-26-020
Agency Interest #: 44056
Activity ID: APE20260001
Review Type: Title V, Operating
Source ID: 21-217-00033

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

County: Taylor

**Application
Complete Date:** April 16, 2026
Issuance Date:
Expiration Date:

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

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Permit	Permit Type	Activity #	Complete Date	Issuance Date	Summary of Action
V-26-020	Renewal	APE20260001	4/16/2026		Renewal of Permit

SECTION A - PERMIT AUTHORIZATION

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

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

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

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**Emission Unit E01-E19 2 Stroke Lean Burn (2SLB) Reciprocating Compression Engines (19)****E01 [96-B-04],
E02 [96-B-05]****Description:**

Model: Cooper-Bessemer GMV-10
Primary Fuel: Natural Gas
Power Output: 1,100 hp each
Max Operating Rate: 12.175 mmBtu/hr each
Construction Date: 1948
Controls: None

**E03 [96-B-06],
E04 [96-B-07], and
E05 [96-B-08]****Description:**

Model: Cooper-Bessemer GMV-10
Primary Fuel: Natural Gas
Power Output: 1,100 hp each
Max Operating Rate: 12.175 mmBtu/hr each
Construction Date: 1949
Controls: None

**E06 [96-B-09],
E07 [96-B-10]****Description:**

Model: Cooper-Bessemer GMV-10TF
Primary Fuel: Natural Gas
Power Output: 1,350 hp each
Max Operating Rate: 12.99 mmBtu/hr each
Construction Date: 1950
Controls: None

**E08 [96-C-01],
E09 [96-C-02],
E10 [96-C-03],
E11 [96-C-04],
E12 [96-C-05], and
E13 [96-C-06]****Description:**

Model: Cooper-Bessemer GMV-10TF
Primary Fuel: Natural Gas
Power Output: 1,350 hp each
Max Operating Rate: 12.99 mmBtu/hr each
Construction Date: 1952
Controls: None

**E14 [96-C-07], and
E15 [96-C-08]****Description:**

Model: Cooper-Bessemer GMV-10
Primary Fuel: Natural Gas
Power Output: 1,350 hp each
Max Operating Rate: 13.14 mmBtu/hr each
Construction Date: 1956
Controls: None

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

E16 [96-C-09],	<u>Description:</u>	
E17 [96-C-10],	Model:	Cooper-Bessemer GMV-10
E18 [96-C-11], and	Primary Fuel:	Natural Gas
E19 [96-C-12]	Power Output:	1,350 hp each
	Max Operating Rate:	13.14 mmBtu/hr each
	Construction Date:	1957
	Controls:	None

APPLICABLE REGULATIONS:

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

1. Operating Limitations:

Existing spark ignition 2 stroke lean burn (2SLB) stationary RICE with a site rating of more than 500 hp located at a major source of HAP emissions do not have to meet the requirements of 40 CFR 63, Subpart ZZZZ or 40 CFR 63, Subpart A, including initial notification requirements. [40 CFR 63.6590(b)(3) & 40 CFR 63.6590(b)(3)(i)]

2. Emission Limitations:

None

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:

None

5. Specific Recordkeeping Requirements:

The permittee shall keep records of the amount of fuel usage on a monthly basis for a twelve (12) month rolling total. [401 KAR 52:020, Section 10]

6. Specific Reporting Requirements:

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

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit E20****4SLB Reciprocating Emergency Engine (96-C-Aux-01)****Description:**

Model: Caterpillar G3516TA
Primary Fuel: Natural Gas
Power Output: 1,025 hp
Max Operating Rate: 8.1 mmBtu/hr
Construction Date: 2000
Controls: None

APPLICABLE REGULATIONS:

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

1. Operating Limitations:

- a. Existing spark ignition 4 stroke lean burn (4SLB) stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions do not have to meet the requirements of 40 CFR 63, Subpart ZZZZ and 40 CFR 63, Subpart A. [40 CFR 63.6590(b)(3) & 40 CFR 63.6590(b)(3)(ii)]
- b. The permittee must operate the emergency stationary RICE according to the requirements in 40 CFR 63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE under 40 CFR 63, Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 63.6640(f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in 40 CFR 63.6640(f)(1) through (4), the engine will not be considered an emergency engine under 40 CFR 63, Subpart ZZZZ and must meet all requirements for non-emergency engines. [40 CFR 63.6640(f)]
 - (1) There is no time limit on the use of emergency stationary RICE in emergency situations. [40 CFR 63.6640(f)(1)]
 - (2) The permittee may operate the emergency stationary RICE for the purpose specified in 40 CFR 63.6640(f)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 63.6640(f)(3) counts as part of the 100 hours per calendar year allowed by 40 CFR 63.6640(f)(2). [40 CFR 63.6640(f)(2)]
 - i. Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [40 CFR 63.6640(f)(2)(i)]

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

- (3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 63.6640(f)(2). The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 63.6640(f)(3)]

Compliance Demonstration Method:

See **4. Specific Monitoring Requirements.**

2. Emission Limitations:

None

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 hours of non-emergency operation for the emergency engine on a monthly basis. [401 KAR 52:020, Section 10]

5. Specific Recordkeeping Requirements:

The permittee shall keep records of the amount of fuel usage and the hours of non-emergency operation on a monthly basis for a twelve (12) month rolling total. [401 KAR 52:020, Section 10]

6. Specific Reporting Requirements:

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

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Unit E21-E23 Process Heaters (3)****E21 [96-HEATER-01]****Description:**

Model: NATCO (Jacket Water Heater)
Primary Fuel: Natural Gas
Max Operating Rate: 4.5 mmBtu/hr
Construction Date: 1984
Controls: None

E22 [96-HEATER-02]**Description:**

Model: NATCO (Jacket Water Heater)
Primary Fuel: Natural Gas
Max Operating Rate: 7.5 mmBtu/hr
Construction Date: 2000
Controls: None

E23 [96-HEATER-20]**Description:**

Model: SAMSCO 600-316
(Waste Water Evaporator)
Primary Fuel: Natural Gas
Max Operating Rate: 0.395 mmBtu/hr
Construction Date: 2002
Controls: None

APPLICABLE REGULATIONS:

401 KAR 59:015, *New indirect heat exchangers* [96-HEATER-01 and 96-HEATER-02 only]

401 KAR 63:002, Section 2(4)(iii), 40 C.F.R. 63.7480 through 63.7575, Tables 1 through 15 (**Subpart DDDDD**), *National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters*.

1. Operating Limitations:

- a. Boilers and process heaters in the units designed to burn gas 1 fuels subcategory with a heat input capacity of less than or equal to 5 million Btu per hour must complete a tune-up every 5 years as specified in 40 CFR 63.7540. (96-HEATER-01 and 96-HEATER-20) [40 CFR 40 CFR 63.7500(e) and Table 3 of 40 CFR 63, Subpart DDDDD]
- b. Boilers and process heaters in the units designed to burn gas 1 fuels subcategory with a heat input capacity greater than 5 million Btu per hour and less than 10 million Btu per hour must complete a tune-up biennially as specified in 40 CFR 63.7540. (96-HEATER-02) [40 CFR 40 CFR 63.7500(e) and Table 3 of 40 CFR 63, Subpart DDDDD]

Compliance Demonstration Method:

The permittee must conduct each biennial, or 5-year performance tune-up according to 40 CFR 63.7540(a)(11), or (12), respectively. Each biennial tune-up specified in 40 CFR 63.7540(a)(11) must be conducted no more than 25 months after the previous tune-up. Each 5-year tune-up specified in 40 CFR 63.7540(a)(12) must be conducted no more than 61 months after the previous tune-up. [40 CFR 63.7515(d)]

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

- c. At all times, the permittee must operate and maintain any affected source (as defined in 40 CFR 63.7490), including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.7500(a)(3)]
- d. During a startup period or shutdown period, the permittee shall meet the work practice standards established in 40 C.F.R. Part 63, Table 3 to Subpart DDDDD, as established in 401 KAR 63:002, Section 2(4)(iii). [401 KAR 59:015, Section 7(2)(a)]

2. Emission Limitations:

- a. The permittee shall not cause emissions of particulate matter from 96-HEATER-01 to exceed 0.56 lb/mmBtu. [401 KAR 59:015, Section 4(1)(a)]
- b. The permittee shall not cause emissions of particulate matter from 96-HEATER-02 to exceed 0.54 lb/mmBtu. [401 KAR 59:015, Section 4(1)(c)]
- c. The permittee shall not cause emissions of particulate matter in excess of 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]:
 - (1) 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)]
 - (2) 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)]
- d. The permittee shall not cause emissions of gases that contain sulfur dioxide from 96-HEATER-01 to exceed 3.0 lb/mmBtu. [401 KAR 59:015, Section 5(1)(a)1]
- e. The permittee shall not cause emissions of gases that contain sulfur dioxide from 96-HEATER-02 to exceed 2.78 lb/mmBtu. [401 KAR 59:015, Section 5(1)(c)2.b.]

Compliance Demonstration Method:

The permittee is assumed to be in compliance with the emission limitations for 96-HEATER-01 and 96-HEATER-02 when burning only natural gas.

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 52:020, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall keep records according to 40 CFR 63.7555(a)(1) through (2). [40 CFR 63.7555(a)]
- b. The permittee shall maintain records of the amount of fuel used while the process heaters are operating on a monthly basis. [401 KAR 52:020, Section 10]
- c. The permittee's records shall be in a form suitable and readily available for expeditious review, according to 40 CFR 63.10(b)(1). [40 CFR 63.7560(a)]
- d. The permittee shall keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [40 CFR 63.7560(b)]
- e. The permittee shall keep each record on site, or they must be accessible from on site (for example, through a computer network), for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). The permittee may keep the records off site for the remaining 3 years. [40 CFR 63.7560(c)]

6. Specific Reporting Requirements:

- a. The permittee must meet the notification requirements in 40 CFR 63.7545 according to the schedule in 40 CFR 63.7545 and in Subpart A of 40 CFR Part 63. Some of the notifications must be submitted before the permittee is required to comply with the work practice standards in 40 CFR 63, Subpart DDDDD. [40 CFR 63.7495(d)]
- b. The permittee must submit to the Administrator all of the notifications in 40 CFR 63.7(b) and (c), 63.8(e), (f)(4) and (6), and 63.9(b) through (h) that apply by the dates specified. [40 CFR 63.7545(a)]
- c. The permittee must submit each report in Table 9 to 40 CFR 63, Subpart DDDDD that applies. [40 CFR 63.7550(a)]
- d. For units that are subject only to a requirement to conduct an annual, biennial, or 5-year tune-up according to 40 CFR 63.7540(a)(10), (11), or (12), respectively, and not subject to emission limits or operating limits, the permittee may submit only an annual, biennial, or 5-year compliance report, as applicable, as specified in 40 CFR 63.7550(1) through (4), instead of a semi-annual compliance report. [40 CFR 63.7550(b)]
- e. Compliance reports shall contain the information required in 40 CFR 63.7550(c)(5)(i) through (iv) and (xiv). [40 CFR 63.7550(c)(1)]
- f. The permittee must submit the reports according to the procedures specified in 40 CFR 63.7550(h)(1) through (3). [40 CFR 63.7550(h)]

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

- g. The permittee must submit all reports required by Table 9 of 40 CFR 63, Subpart DDDDD electronically to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX.) The permittee must use the appropriate electronic report in CEDRI for 40 CFR 63, Subpart DDDDD. Instead of using the electronic report in CEDRI for 40 CFR 63, Subpart DDDDD, the permittee may submit an alternate electronic file consistent with the XML schema listed on the CEDRI Web site (<http://www.epa.gov/ttn/chief/cedri/index.html>), once the XML schema is available. If the reporting form specific to 40 CFR 63, Subpart DDDDD is not available in CEDRI at the time that the report is due, the permittee must submit the report to the Administrator at the appropriate address listed in 40 CFR 63.13. The permittee must begin submitting reports via CEDRI no later than 90 days after the form becomes available in CEDRI. [40 CFR 63.7550(h)(3)]
- h. **See Section F, Monitoring, Recordkeeping, and Reporting Requirements.**

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. Although these activities are designated as insignificant the permittee must comply with the applicable regulation. Process and emission control equipment at each insignificant activity subject to an opacity standard shall be inspected monthly and a qualitative visible emissions evaluation made. Results of the inspection, evaluation, and any corrective action shall be recorded in a log.

Description	Generally Applicable Regulation
1. Lube Oil Tank (10,460 gallons)(T-2)	None
2. Lube Oil Tank (11,046 gallons)(T-3)	None
3. Used Oil Tank (5,000 gallons)(T-4)	None
4. Used Oil Tank (5,000 gallons)(T-5)	None
5. Diesel Tank (1,000 gallons)(T-6)	None
6. Gasoline Tank (2,000 gallons)(T-7) (with permanent submerged fill)	401 KAR 59:050
7. Diesel Tank (550 gallons)(T-8)	None
8. Pipeline Drip Oil Tank (3,000 gallons)(T-10) (with permanent submerged fill)	401 KAR 59:050
9. Lube Oil Tank (880 gallons)(T-11)	None
10. Lube Oil Tank (880 gallons)(T-12)	None
11. Used Oil Tank (887 gallons)(T-13)	None
12. Temporary Used Oil Tank (750 gallons)(T-14)	None
13. Rundown Oil Tank (462 gallons)(T-15)	None
14. Lube Oil Tank (110 gallons)(T-21)	None
15. Pipeline Drip Oil Tank (800 gallons)(T-22) (with permanent submerged fill)	401 KAR 59:050
16. Rundown Oil Tank (404 gallons)	None
17. Jacket Water Rundown Tank (141 gallons)	None
18. Jacket Water Rundown Tank (373 gallons)	None
19. Jacket Water Rundown Tank (219 gallons)	None
20. Jacket Water Rundown Tank at Cooling Tower (1,000 gallons)	None
21. Fourteen (14) Natural Gas Fired Heaters (<1 mmBtu/hr)	None
22. Six (6) Natural Gas Fired Water Heaters (<1 mmBtu/hr)	None
23. Fugitives	401 KAR 63:020

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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. PM and SO₂ 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.

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 Title V Permits* incorporated by reference in 401 KAR 52:020, 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 [Sections 1b-IV-2 and 1a-8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
3. In accordance with the requirements of 401 KAR 52:020, Section 3(1)h, 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 Title V Permits* incorporated by reference in 401 KAR 52:020, 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 52:020, Section 23. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1, the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken shall be submitted to the Regional Office listed on the front of this permit. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement does not identify a specific time frame for reporting deviations, prompt reporting, as required by Sections 1b-V, 3 and 4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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 52:020, Title V permits, 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 and the U.S. EPA in accordance with the following requirements:
 - a. Identification of the term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.

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

- e. For an emissions unit that was still under construction, or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
- f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the following addresses:

Division for Air Quality
Bowling Green Regional Office
2642 Russellville Road
Bowling Green, KY 42101

U.S. EPA Region 4
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St. SW
Atlanta, GA 30303-8960

- 10. In accordance with 401 KAR 52:020, Section 22, 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.

SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

- a. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020, 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 termination, revocation and reissuance, revision or denial of a permit [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. 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 52:020, 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;
 - (4) New requirements become applicable to a source subject to the Acid Rain Program.

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- 7 and 8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].
- e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:020, 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 52:020, 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-14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-15 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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 52:020, Section 11(3) b].
- l. This permit does not convey property rights or exclusive privileges [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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 [401 KAR 52:020, Section 11(3) d.].
- 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 [401 KAR 52:020, Section 11(3) a.].

SECTION G - GENERAL PROVISIONS (CONTINUED)

- 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 52:020, 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 52:020, Section 12].
- b. The authority to operate granted 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 52:020, Section 8(2)].

3. Permit Revisions

- a. A minor permit revision procedure 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 52:020, Section 14(2).
- b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

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

No construction authorized by permit V-26-020.

SECTION G - GENERAL PROVISIONS (CONTINUED)**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

- a. 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.
- b. The permittee shall comply with all applicable requirements and conditions of the Acid Rain Permit and the Phase II permit application (including the Phase II NOx compliance plan and averaging plan, if applicable) incorporated into the Title V permit issued for this source. The source shall also comply with all requirements of any revised or future acid rain permit(s) issued to this source.

7. Emergency Provisions

- a. Pursuant to 401 KAR 52:020, Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or 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) Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.1-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
 - (5) This requirement does not relieve the source of other local, state or federal notification requirements.
- b. Emergency conditions listed in General Condition G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].
 - c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

8. Ozone Depleting Substances

- a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - (1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - (2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - (3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.155.
 - (5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156 and 40 CFR 82.157.
 - (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
- b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

SECTION G - GENERAL PROVISIONS (CONTINUED)

9. Risk Management Provisions

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

SECTION H - ALTERNATE OPERATING SCENARIOS

None

SECTION I - COMPLIANCE SCHEDULE

None