**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:** | **U.S. Smokeless Tobacco Company LLC** |
| **Mailing Address:** | **P.O. Box 85107**<br>**Richmond, VA 23285** |
| **Source Name:** | **U.S. Smokeless Tobacco Company- Eagle One Facility** |
| **Mailing Address:** | **100 Weyman's Way**<br>**Hopkinsville, Kentucky 42240** |
| **Source Location:** | **Crenshaw Blvd and Fort Campbell Blvd** |
| **Permit ID:** | **V-26-030** |
| **Agency Interest #:** | **121768** |
| **Activity ID:** | **APE20250001 and APE20260001** |
| **Review Type:** | **Title V/ Synthetic Minor, Construction/Operating** |
| **Source ID:** | **21-047-00139** |
| **Regional Office:** | **Paducah Regional Office**<br>**130 Eagle Nest Drive**<br>**Paducah, KY 42003**<br>**(270) 898-8468** |
| **County:** | **Christian** |
| **Application Complete Date:** | **May 14, 2025** |
| **Issuance Date:** | |
| **Expiration Date:** | |

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

## TABLE OF CONTENTS



<table>
<tr><th>Permit</th><th>Permit Type</th><th>Activity #</th><th>Complete Date</th><th>Issuance Date</th><th>Summary of Action</th></tr>
<tr><td rowspan="2">V-26-030</td><td>Renewal</td><td>APE20250001</td><td>7/11/2025</td><td rowspan="2"></td><td>Renewal Permit</td></tr>
<tr><td>Significant Revision</td><td>APE20260001</td><td>7/2/2026</td><td>Modification with addition of units and updated Synthetic Minor limit</td></tr>
</table>

## 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 01 (101)** **Dry Flour Casing and Cutting Process**

| Facility ID | Description | Rated Capacity (tons/hr) | Control Equipment | Construction Commenced |
|---|---|---|---|---|
| BH0101 | Stem Dumper and Shaker | 2.5 | Dust Collector | 2015 |
| CS0101 | Stem Conditioning Cylinder | 2.5 | None | 2015 |
| CS0102 & CS0103 | Two Vacuum Chambers | 12 (Total) | None | 2015 |
| BH0102 | Lamina Feeder Dry Material | 12 | Dust Collector | 2015 |
| DC0101 | Lamina Feeder Wet Material | 12 | None | 2015 |
| BH0103 | Tobacco Sorter, Hogshead Picker, Conveyors | 12 | Dust Collector | 2015 |
| CC0101 | Casing Cylinder | 12 | None | 2015 |
| BC0101 | (SI0101 to SI0107) Seven Bulking Bins | 12 (Total) | None | 2015/2027 |
| CF0101 to CF0105 | Five Cutters | 12 (Total) | Five Dust Collectors | 2015/2027 |
| TF0101 | Tote Filling Station | 12 | None | 2015 |
| TD0101 | Add Back Station | 12 | None | 2015 |

**Emission Unit 02 (102)** **Dry Flour Drying Process**

| Facility ID | Description | Rated Capacity (tons/hr) | Control Equipment | Construction Commenced |
|---|---|---|---|---|
| **Fluidized Bed Drying Line 102A** | | | | |
| DF0201 | Fluidized Bed Dryer | 5 | Cyclone | 2015 |
| BH0201 | Fluidized Bed Dryer Dust Return | 5 | Dust Collector | 2015 |
| BH0202 | Conveyors, Sifting, Tote Filling, and Surge Silo | 5 | Global Dust Collector | 2015 |
| SI0201-2 | Silos Filling | 5 | Dust Collector | 2027 |
| TP0201 | Truck Filling | 5 | Dust Collector | 2015 |
| **DLL Drying Line 102B** | | | | |
| DA0201 | DLL Dryer | 5 | Cyclone | 2015 |
| BH0205 | Conveyors, Sifting, Tote Filling, and Surge Silo | 5 | Dust Collector | 2015 |
| SI0203-4 | Silos Filling | 5 | Dust Collector | 2027 |
| TP0202 | Truck Filling | 5 | Dust Collector | 2015 |

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

**APPLICABLE REGULATIONS:**
**401KAR 59:010,** *New process operations*
**401 KAR 50:012,** *General application*

**PRECLUDED REGULATIONS**
**401 KAR 51:017,** *Prevention of significant deterioration of air quality for VOC*

1. **Operating Limitations:**
   a. To preclude applicability of 401 KAR 51:017, total tobacco throughput for each emission unit **01 (101) and 02 (102)** shall not exceed 22,482 tons during any 12 consecutive months [401 KAR 52:020, Section 10].

      **Compliance Demonstration Method:**
      See **4. Specific Monitoring Requirements a.** and **5. Specific Recordkeeping Requirements a.**

   b. The control device associated with each emission unit shall be operational at all times that the emission unit is in operation. [401 KAR 52:020, Section 10]

   c. **See Section D – Source Emission Limitations and Testing Requirements** for 401 KAR 50:012 requirements.

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

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

   b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of the quantity specified in 401 KAR 59:010, Appendix A: [401 KAR 59:010, Section 3(2)]

      i. For process weight rates $\leq$ 0.50 ton/hour: $E = 2.34$
      ii. For process weight rates > 0.50 ton/hr and $\leq$ 30 tons/hr: $E = 3.59P^{0.62}$
      Where: E = rate of emission in lb/hr, and
      P = process weight rate in tons/hr.

      **Compliance Demonstration Method:**
      A. Units with baghouse: Compliance with the mass emission standard is assumed based on the potential to emit for the emission units. See **4. Specific Monitoring Requirements c.** and **5. Specific Recordkeeping Requirements c.** and **d.; and 7. Specific Control Equipment Operating Conditions.**

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

B. Units without baghouse: Compliance with the mass emission standard is assumed based on the potential to emit for the emission units.

c. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide emission limits for VOC.

**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 59:005, Section 2(2) and 401 KAR 50:045, Section 1].

**4. Specific Monitoring Requirements:**

a. The permittee shall monitor the hours of operation and the amount of tobacco processed (in tons) on a monthly and rolling 12-month basis [401 KAR 52:020, Section 10].

b. The permittee shall perform a monthly qualitative visual observation of the opacity of emissions at each stack 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 52:020, Section 10]

c. The permittee shall install, calibrate, maintain and operate a pressure drop monitoring device to monitor the differential pressure across each control device. The permittee shall ensure that the monitored value is maintained within the range specified by the manufacturer. The permittee shall monitor the differential pressure across the baghouse once per day during all times of operation. [401 KAR 52:020, Section 10]

**5. Specific Recordkeeping Requirements:**

a. The permittee shall maintain records of the hours of operation and the amount of tobacco processed (in tons) on a monthly and rolling 12-month basis [401 KAR 52:020, Section 10].

b. The permittee shall maintain records of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements b.**, including the date, time, initials of observer, whether any emissions were observed (yes/no), any corrective action taken, and any U.S. EPA Reference Method 9 readings conducted. [401 KAR 52:020, Section 10]

c. The permittee shall maintain records of the monitored differential pressure across the baghouse. [401 KAR 52:020, Section 10]

d. The permittee shall maintain records of the manufacturer's specifications for the baghouse and filters. [401 KAR 52:020, Section 10]

**6. Specific Reporting Requirements:**
See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

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

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

a. Control devices shall be operated to maintain compliance with permitted emission limitations in accordance with manufacturer's specification and standard operating practices [401 KAR 50:055, Section 2].

b. The permittee shall maintain records regarding the maintenance of the control equipment [401 KAR 52:020, Section 10].

c. Refer to **Section E – Source Control Equipment Requirements**.

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

**Emission Unit 3 (EU3)** **Tobacco Curing Operation Process (103)**

| Description | Maximum Rated Capacity | Control Equipment | Construction Commenced |
|---|---|---|---|
| 4 Rotary Batch Mixers | 22.1 ton/ hr<br>44,200 lbs/hr tobacco mixture total | Enclosed & Dust Collector (BH0102 and BH0301) | 2015/2027 |
| Two (2) Cylinder Mixer<br>One (1) or more 60-gal blending/storage tanks for tobacco flavor solution<br>Tote Dumper and Use Hoppers<br>TD0301, TD0302<br>UH0301, UH0302 | | | |

**APPLICABLE REGULATIONS:**
**401KAR 59:010,** *New process operations*
**401 KAR 50:012,** *General application*

**PRECLUDED REGULATIONS:**
**401 KAR 51:017,** *Prevention of significant deterioration of air quality*

1. **Operating Limitations:**
   a. To preclude the applicability of 401 KAR 51:017, total tobacco mixture throughput shall not exceed 29,976 tons during any 12 consecutive months [401 KAR 52:020, Section 10].

      **Compliance Demonstration Method:**
      See **4. Specific Monitoring Requirements a.** and **5. Specific Recordkeeping Requirements a.**

   b. The control device associated with each emission unit shall be operational at all times that the emission unit is in operation. [401 KAR 52:020, Section 10]

   c. **See Section D – Source Emission Limitations and Testing Requirements** for 401 KAR 50:012 requirements.

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

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

   b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of the quantity specified in 401 KAR 59:010, Appendix A: [401 KAR 59:010, Section 3(2)]

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

i. For process weight rates ≤ 0.50 ton/hour: $E = 2.34$
ii. For process weight rates > 0.50 ton/hr and ≤ 30 tons/hr: $E = 3.59P^{0.62}$
Where: E = rate of emission in lb/hr, and
P = process weight rate in tons/hr.

**Compliance Demonstration Method:**
Compliance with the mass emission standard is assumed based on the potential to emit for this emission unit. See **4**. **Specific Monitoring Requirements c.** and **5. Specific Recordkeeping Requirements c.** and **d.; and 7. Specific Control Equipment Operating Conditions.**

c. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide emission limits for VOC.

**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 59:005, Section 2(2) and 401 KAR 50:045, Section 1].

**4. Specific Monitoring Requirements:**

a. The permittee shall monitor the hours of operation and the total amount of tobacco mixture processed (in tons) on a monthly and rolling 12-month basis [401 KAR 52:020, Section 10].

b. The permittee shall perform a monthly qualitative visual observation of the opacity of emissions at each stack 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 52:020, Section 10]

c. The permittee shall install, calibrate, maintain and operate a pressure drop monitoring device to continuously monitor the differential pressure across each control device. The permittee shall ensure that the monitored value is maintained within the range specified by the manufacturer. The permittee shall monitor the differential pressure across the baghouse once per day during all times of operation. [401 KAR 52:020, Section 10]

**5. Specific Recordkeeping Requirements:**

a. The permittee shall maintain records of the hours of operation and the total amount of tobacco mixture processed (in tons) on a monthly and rolling 12-month basis [401 KAR 52:020, Section 10].

b. The permittee shall maintain records of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements b.**, including the date, time, initials of observer, whether any emissions were observed (yes/no), any corrective action taken, and any U.S. EPA Reference Method 9 readings conducted. [401 KAR 52:020, Section 10]

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

c. The permittee shall maintain records of the monitored differential pressure across the baghouse. [401 KAR 52:020, Section 10]

d. The permittee shall maintain records of the manufacturer's specifications for the baghouse and filters. [401 KAR 52:020, Section 10]

**6. Specific Reporting Requirements:**
See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

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

a. Control devices shall be operated to maintain compliance with permitted emission limitations in accordance with manufacturer's specification and standard operating practices [401 KAR 50:055, Section 2].

b. The permittee shall maintain records regarding the maintenance of the control equipment [401 KAR 52:020, Section 10].

c. Refer to **Section E – Source Control Equipment Requirements**.

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

**Emission Unit EU4 (104) Tobacco Curing Process**

**Description:**

| | |
|---|---|
| Equipment: | Cure Room, 4 Turning Stations (Cure Bin Dumper, Lump Breaker & Conveyors), and a Staging Area |
| Maximum Rated Capacity: | 60,000 lbs/hr (30 ton/hr) |
| Control Equipment: | Regenerative Thermal Oxidizer (RTO)* |
| Primary Fuel: | Propane |
| Secondary Fuel: | Natural Gas |
| Construction Commenced: | 2015 |

*The RTO is a voluntary control device used for odor control, resulting in a reduction of ammonia emissions.

**APPLICABLE REGULATIONS:**
**401 KAR 50:012,** *General application*

**401 KAR 53:010,** *Ambient air quality standards*

**STATE-ORIGIN REQUIREMENT:**
**401 KAR 63:020,** *Potentially hazardous matter or toxic substances*

**PRECLUDED REGULATION:**
**401 KAR 51:017,** *Prevention of significant deterioration of air quality*

1. **Operating Limitations:**
   a. To preclude applicability of 401 KAR 51:017, total tobacco mixture throughput shall not exceed 29,976 tons/year in any consecutive 12 months [401 KAR 52:020, Section 10].

   **Compliance Demonstration Method:**
   See **4. Specific Monitoring Requirements a.** and **5. Specific Recordkeeping Requirements a.**

   b. See **Section D – Source Emission Limitations and Testing Requirements** for 401 KAR 50:012 requirements.

2. **Emission Limitations:**
   a. The permittee shall provide the utmost care and consideration, in the handling of materials from which hazardous matter or toxic substances may be emitted, to the potentially harmful effects of the emissions resulting from such activities. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants. 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.

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

b. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide emission limits for VOC.

**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]

**4. Specific Monitoring Requirements:**

a. The permittee shall monitor the hours of operation and the total amount of tobacco mixture processed (in tons) on a monthly and rolling 12-month basis [401 KAR 52:020, Section 10].

b. The permittee shall monitor the type and amount of fuel combusted (in Mgal for propane and in MMscf for natural gas) on a monthly basis [401 KAR 52:020, Section 10].

**5. Specific Recordkeeping Requirements:**

a. The permittee shall maintain records of the hours of operation and the total amount of tobacco mixture processed (in tons) on a monthly and rolling 12-month basis [401 KAR 52:020, Section 10].

b. The permittee shall maintain records of the type and amount of fuel combusted (in Mgal for propane and in MMscf for natural gas) on a monthly basis [401 KAR 52:020, Section 10].

**6. Specific Reporting Requirements:**
See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

**7. Specific Control Equipment Operating Conditions:**
See **Section E – Source Control Equipment Requirements** for general control equipment requirements.

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

**Emission Unit 05 (105)** **Boiler #1 – Indirect Heat Exchanger**

**Emission Unit 06 (106)** **Boiler #2 – Indirect Heat Exchanger**

**Description:**

| | |
|---|---|
| Equipment: | Cleaver Brooks CBEX-E 700-800-200ST |
| Maximum Rated Capacity: | 32.659 MMBtu/hr, Each |
| Primary Fuel: | Propane |
| Secondary Fuel: | Natural Gas |
| Construction Commenced: | 2015 |

**APPLICABLE REGULATIONS:**
**401 KAR 50:012,** *General application*

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

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

**STATE-ORIGIN REQUIREMENT:**
**401 KAR 63:020,** *Potentially hazardous matter or toxic substances*

1. **Operating Limitations:**
   a. During a startup period or shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 59:015, Section 7 [401 KAR 59:015, Section 7(1)]:

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

      ii. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility [401 KAR 59:015, Section 7(1)(b)];

      iii. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods [401 KAR 59:015, Section 7(1)(c)];

      iv. The actions, including duration of the startup period, during startup periods and shutdown periods, shall be documented by signed, contemporaneous logs or other relevant evidence [401 KAR 59:015, Section 7(1)(d)]; and

      v. Startups and shutdowns shall be conducted according to either the manufacturer's recommended procedures or 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 of the affected facility [401 KAR 59:015, Section 7(1)(e)1. and 7(1)(e)2.].

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

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

b. **See Section D – Source Emission Limitations and Testing Requirements** for 401 KAR 50:012 requirements.

**2. Emission Limitations:**

a. The permittee shall not cause emissions of particulate matter (PM) in excess of 0.36 lbs/MMBtu actual heat input from each unit. [401 KAR 59:015, Section 4(1)(c)].

b. The permittee shall not cause emissions of particulate matter in excess of twenty (20) percent opacity, except [401 KAR 59:015, Section 4(2)]:
   i. A maximum of forty (40) percent opacity shall be allowed for a maximum of six (6) consecutive minutes in any sixty (60) consecutive minutes during fire box cleaning or soot blowing [401 KAR 59:015, Section 4(2)(b)]; and
   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 ($SO_2$) in excess of 1.39 lbs/MMBtu actual heat input from each unit [401 KAR 59:015, Section 5(1)(c)2.b.].

**Compliance Demonstration Method:**
Compliance with the 401 KAR 59:015 emission standards is assumed. [401 KAR 50:045, Section 4(3)(c)1.]

d. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide emission limits for VOC.

e. The permittee shall provide the utmost care and consideration, in the handling of materials from which hazardous matter or toxic substances may be emitted, to the potentially harmful effects of the emissions resulting from such activities. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants. 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.

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

**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 59:005, Section 2(2) and 401 KAR 50:045, Section 1].

**4. Specific Monitoring Requirements:**
The permittee shall monitor the type and amount of fuel combusted (in Mgal for propane and in MMscf for natural gas), in each emission unit, on a monthly basis [401 KAR 52:020, Section 10].

**5. Specific Recordkeeping Requirements:**

a. The permittee shall maintain records of the type and amount of fuel combusted (in Mgal for propane and in MMscf for natural gas) for each unit, on a monthly basis [401 KAR 52:020, Section 10 and 40 CFR 60.48c(g)].

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 actions taken for each unit. [401 KAR 52:020, Section 10].

**6. Specific Reporting Requirements:**
See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

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

**Emission Unit 12 (112)** **Pesticide Fogging**

**Description:**

| | |
|---|---|
| Equipment: | Pesticide (Vectrin 3%) Foggers in 3 Processing Buildings |
| Maximum Rated Capacity: | 7.5 gal/hr, Total |
| Maximum Operating Schedule: | 576 hr/yr, Total |
| Construction Commenced: | 2015 |

**APPLICABLE REGULATIONS:**
**401 KAR 50:012,** *General application*

**PRECLUDED REGULATION:**
**401 KAR 51:017,** *Prevention of significant deterioration of air quality*

1. **Operating Limitations:**
   a. To preclude applicability of 401 KAR 51:017, total pesticide usage shall not exceed 4,320 gallons in any 12 consecutive months [401 KAR 52:020, Section 10].

      **Compliance Demonstration Method:**
      See **4. Specific Monitoring Requirements a.** and **5. Specific Recordkeeping Requirements a**.

   **b. See Section D – Source Emission Limitations and Testing Requirements** for 401 KAR 50:012 requirements.

2. **Emission Limitations:**
   See **Section D – Source Emission Limitations and Testing Requirements** for source-wide emission limits for VOC.

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].

4. **Specific Monitoring Requirements:**
   The permittee shall monitor the hours of operation and the amount of pesticide used (in gallons) on a monthly and rolling 12-month basis. [401 KAR 52:020, Section 10]

5. **Specific Recordkeeping Requirements:**
   The permittee shall maintain records of the hours of operation and the amount of pesticide used (in gallons) on a monthly and rolling 12-month basis. [401 KAR 52:020, Section 10]

6. **Specific Reporting Requirements:**
   See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

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

**Emission Unit 14 (114)** **Tobacco Finishing Process**

**Description:**

| | |
|---|---|
| Equipment: | Two Cure Bins Dumpers, Four Finishing Mixer Tobacco Preconditioner, and Blending/Storage Tanks |
| Maximum Rated Capacity: | 24,000 lbs/hr of Finished Tobacco |
| Construction Commenced: | 2017 (Update Proposed 2027) |

### APPLICABLE REGULATIONS:
**401 KAR 50:012,** *General application*

### PRECLUDED REGULATION:
**401 KAR 51:017,** *Prevention of significant deterioration of air quality*

1. **Operating Limitations:**
   a. To preclude applicability of 401 KAR 51:017, total finished tobacco throughput shall not exceed 39,100 tons during any 12 consecutive months [401 KAR 52:020, Section 10].

      **Compliance Demonstration Method:**
      See **4. Specific Monitoring Requirements** and **5. Specific Recordkeeping Requirements**.

   b. **See Section D – Source Emission Limitations and Testing Requirements** for 401 KAR 50:012 requirements.

2. **Emission Limitations:**
   See **Section D – Source Emission Limitations and Testing Requirements** for source-wide emission limits for VOC.

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].

4. **Specific Monitoring Requirements:**
   The permittee shall monitor the hours of operation and the amount of finished tobacco processed (in tons) on a monthly and rolling 12-month basis [401 KAR 52:020, Section 10].

5. **Specific Recordkeeping Requirements:**
   The permittee shall maintain records of the hours of operation and the amount of finished tobacco processed (in tons) on a monthly and rolling 12-month basis [401 KAR 52:020, Section 10].

6. **Specific Reporting Requirements:**
   See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

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

**Emission Unit 15 (115)** **Tobacco Packing Process**

**Description:**

| | |
|---|---|
| Equipment: | Seven Packing Lines [4 Loose, 2 Pouch, and 1 Mesh Pack] |
| Maximum Rated Capacity: | 30,800 lbs/hr of Finished Tobacco<br>70.73 lbs/hr of Equipment Cleaning Mineral Spirit and Ethanol |
| Construction Commenced: | Proposed 2027 |

## APPLICABLE REGULATIONS:
**401 KAR 50:012,** *General application*

## PRECLUDED REGULATION:
**401 KAR 51:017,** *Prevention of significant deterioration of air quality*

1. **Operating Limitations:**
   a. To preclude applicability of 401 KAR 51:017, total finished tobacco throughput shall not exceed 39,100 tons during any 12 consecutive months of total tobacco and 4.7 tons/yr of mineral spirits and ethanol combined [401 KAR 52:020, Section 10].

   **Compliance Demonstration Method:**
   See **4. Specific Monitoring Requirements** and **5. Specific Recordkeeping Requirements.**

   b. **See Section D – Source Emission Limitations and Testing Requirements f**or 401 KAR 50:012 requirements

2. **Emission Limitations:**
   See **Section D – Source Emission Limitations and Testing Requirements** for source-wide emission limits for VOC.

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 operation, and the amount of finished tobacco processed (in tons) on a monthly and rolling 12-month basis [401 KAR 52:020, Section 10].

5. **Specific Recordkeeping Requirements:**
   a. The permittee shall maintain records of the hours of operation and the amount of finished

   b. tobacco processed (in tons) on a monthly and rolling 12-month basis [401 KAR 52:020, Section 10].

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

**6. Specific Reporting Requirements:**
See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

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

**Emission Unit 13 (113)** **Emergency Fire Pump Engine**

**Description:**

| | |
|---|---|
| Equipment: | Clark JU6H-UFADR9 |
| Maximum Rated Capacity: | 250 HP |
| Primary Fuel: | Diesel |
| Construction Commenced: | 2015 |

**APPLICABLE REGULATIONS:**

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

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

1. **Operating Limitations:**
   a. The permittee must meet the requirements of 40 CFR part 63 by meeting the requirements of 40 CFR 60, Subpart IIII for compression ignition engines. No further requirements apply for such engines under 40 CFR part 63 [40 CFR 63.6590(c)(1)].

   b. The permittee must do all of the following, except as permitted under 40 CFR 60.4211(g):
      i. Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;
      ii. Change only those emission-related settings that are permitted by the manufacturer; and
      iii. Meet the requirements of40 CFR part 1068, as they apply.

   c. The permittee shall operate the emergency stationary ICE according to the requirements in 40 CFR 60.4211(f)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR 60, Subpart IIII, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 60.4211(f)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 60.4211(f)(1) through (3), the engine will not be considered an emergency engine under 40 CFR 60, Subpart III and must meet all requirements for non-emergency engines. [40 CFR 60.4211(f)]
      i. There is no time limit on the use of emergency stationary ICE in emergency situations [40 CFR 60.4211(f)(1)].
      ii. The permittee may operate the emergency stationary ICE for the purpose specified in 40 CFR 60.4211(f)(2)(i) for a maximum of 100 hours per calendar year. Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state, or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the

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

permittee maintains records indicating the federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 60.4211(f)(3) counts as part of the 100 hours per calendar year. [40 CFR 60.4211(f)(2) and 60.4211(f)(2)(i)]

iii. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing. Except as provided in 40 CFR 60.4211(f)(3)(i), the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 60.4211(f)(3)]

d. The permittee must operate and maintain stationary CI ICE that achieve the emissions standards as required in 40 CFR 60.4204 and 40 CFR 60.4205 over the entire life of the engine [40 CFR 60.4206].

e. If the emergency stationary CI internal combustion engine does not meet the standards applicable to non-emergency engines, the permittee must install a non-resettable hour meter prior to startup of the engine [40 CFR 60.4209(a)].

**2. Emission Limitations:**

a. The permittee shall comply with the following emission standards for new fire pump CI engines in 40 CFR 60, Subpart IIII, Table 4 for all pollutants [40 CFR 60.4205(c)]:

| Regulated Air Pollutant | Emission Limit |
|---|---|
| NMHC + $NO_x$ | 4.0 g/kW-hr<br>(3.0 g/HP-hr) |
| CO | 3.5 g/Kw-hr<br>(2.6 g/HP-hr) |
| PM | 0.20 g/kW-hr<br>(0.15 g/HP-hr) |

**Compliance Demonstration Method:**

A. The permittee must comply by purchasing an engine certified to the emission standards in 40 CFR 60.4205(c) for the same NFPA nameplate. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in 40 CFR 60.4211(g). [40 CFR 60.4211(c)]

B. If the permittee does not install, configure, operate, and maintain the engine and control device according to the manufacturer's emission-related written instructions, or changes emission-related settings in a way that is not permitted by the manufacturer, the permittee must demonstrate compliance as follows. The permittee must keep a maintenance plan and records of conducted maintenance and must, to the extent

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

practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after the permittee changes emission-related settings in a way that is not permitted by the manufacturer. [40 CFR 60.4211(g)]

b. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide emission limits for VOC.

3. **Testing Requirements**:
   a. Owners and operators of stationary CI ICE with a displacement of less than 30 liters per cylinder who conduct performance tests pursuant to 40 CFR 60, Subpart IIII, must do so according to 40 CFR 60.4212(a) through (e). [40 CFR 60.4212]

   b. 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].

4. **Specific Monitoring Requirements**:
   The permittee shall monitor hours of operation and the amount of fuel combusted (in gallons) on a monthly basis [401 KAR 52:020, Section 10].

5. **Specific Recordkeeping Requirements**:
   a. The permittee shall maintain records of hours of operation and the amount of fuel combusted (in gallons) on a monthly basis [401 KAR 52:020, Section 10].

   b. If the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the permittee must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The permittee must record the time of operation of the engine and the reason the engine was in operation during that time. [40 CFR 60.4214(b)]

6. **Specific Reporting Requirements**:
   a. If the permittee operates the engine for the purpose specified in 40 CFR 60.4211(f)(3)(i), the permittee shall submit an annual report according to the requirements in 40 CFR 60.4214(d)(1) through (3) [40 CFR 60.4214(d)].

   b. If the permittee is required to submit notifications or reports following the procedure specified in 40 CFR 60.4214(g), the permittee must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (*https://cdx.epa.gov/*). The EPA will make all the information submitted through CEDRI available to the public without further notice to the permittee. Do not use CEDRI to submit information claimed as CBI. [40 CFR 60.4214(g)]

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

c. If the permittee is required to electronically submit a report through CEDRI in the EPA's CDX, the permittee may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, the permittee must meet the requirements outlined in 40 CFR 60.4214(h)(1) through (7). [40 CFR 60.4214(h)]

d. If the permittee is required to electronically submit a report through CEDRI in the EPA's CDX, the permittee may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, the permittee must meet the requirements outlined in 40 CFR 60.4214(i)(1) through (5). [40 CFR 60.4214(i)]

e. Any records required to be maintained by 40 CFR 60, Subpart IIII that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation. [40 CFR 60.4214(j)]

f. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

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

**Emission Units 16 (116) Natural Gas-Fired Emergency Generator**

**Description:**

| | |
|---|---|
| Equipment: | Kohler 25CCL or equivalent |
| Model Number | KG2204T 2.2L, 4 Cycle (or equivalent) |
| Maximum Rated Capacity: | 64 HP |
| Primary Fuel: | Natural Gas |
| Proposed Construction Date: | Proposed 2027 |

**Emission Units 17 (117) Natural Gas-Fired Emergency Generator**

**Description:**

| | |
|---|---|
| Equipment: | Kohler KG100R |
| Model Number: | G6208THD 6.2L Turbocharged Aftercooled |
| Maximum Rated Capacity: | 204 HP |
| Primary Fuel: | Natural Gas |
| Proposed Construction Date: | Proposed 2027 |

**APPLICABLE REGULATIONS:**

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

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

1. **Operating Limitations:**
   a. The permittee must meet the requirements of 40 CFR part 63 by meeting the requirements of 40 CFR 60, Subpart JJJJ. No further requirements apply for such engines under 40 CFR part 63 [40 CFR 63.6590(c)(1)].

   b. If the engine does not meet the standards applicable to non-emergency engines, the permittee shall install a non-resettable hour meter on each unit prior to the start-up of the engine [40 CFR 60.4237(b) and 40 CFR 60.4237(c)].

   c. The permittee shall operate the emergency stationary ICE according to the requirements in 40 CFR 60.4243(d)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR 60, Subpart JJJJ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 60.4243(d)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 60.4243(d)(1) through (3), the engine will not be considered an emergency engine under 40 CFR 60, Subpart JJJJ and must meet all requirements for non-emergency engines [40 CFR 60.4243(d)].
      i. There is no time limit on the use of emergency stationary ICE in emergency situations [40 CFR 60.4243(d)(1)].

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

ii. The permittee may operate the emergency stationary ICE for the purpose specified in 40 CFR 60.4243(d)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 60.4243(d)(3) counts as part of the 100 hours per calendar year allowed by 40 CFR 60.4243(d)(2). Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state, or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year [40 CFR 60.4243(d)(2) and 40 CFR 60.4243(d)(2)(i)].

iii. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 60.4243(d)(2). Except as provided in 40 CFR 60.4243(d)(3)(i), the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all the following criteria are met [40 CFR 60.4243(d)(3) and 40 CFR 60.4243(d)(3)(i)]:

A. The engine is dispatched by the local balancing authority or local transmission and distribution system operator [40 CFR 60.4243(d)(3)(i)(A)].

B. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region [40 CFR 60.4243(d)(3)(i)(B)].

C. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines [40 CFR 60.4243(d)(3)(i)(C)].

D. The power is provided only to the facility itself or to support the local transmission and distribution system [40 CFR 60.4243(d)(3)(i)(D)].

E. The permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the permittee [40 CFR 60.4243(d)(3)(i)(E)].

d. The permittee may operate the engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use [40 CFR 60.4243(e)].

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

e. The permittee must operate and maintain stationary SI ICE that achieve the emission standards as required in 40 CFR 60.4233 over the entire life of the engine. [40 CFR 60.4234]

**2. Emission Limitations:**

a. The permittee shall comply with the emission standards in 40 CFR 60, Subpart JJJJ Table 1 [40 CFR 60.4233(d) and (e), Referencing 40 CFR 60, Subpart JJJJ Table 1]:

| EU | $NO_x$+HC g/HP-hr | $NO_x$ g/HP-hr | CO g/HP-hr | VOC g/HP-hr |
|---|---|---|---|---|
| 16 | 10 | N/A | 387 | N/A |
| 17 | N/A | 2.0 | 4.0 | 1.0 |

**Compliance Demonstration Method:**

A. The permittee must demonstrate compliance according to one of the following methods: [40 CFR 60.4243(b)]

I. Purchasing an engine certified according to procedures specified in 40 CFR 60, Subpart JJJJ, for the same model year and demonstrating compliance according to one of the methods specified in 40 CFR 60.4243(a) [40 CFR 60.4243(b)(1)]; or

II. Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in 40 CFR 60.4233(d) or (e) and according to the requirements specified in 40 CFR 60.4244, as applicable, and must keep a maintenance plan and record of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee must conduct an initial performance test to demonstrate compliance. [40 CFR 60.4243(b)(2) and (b)(2)(i)]

B. If the permittee purchases a non-certified engine or the permittee does not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's written emission-related instructions, the permittee is required to perform initial performance testing as indicated in 40 CFR 60, Subpart JJJJ, but the permittee is not required to conduct subsequent performance testing unless the stationary engine undergoes rebuild, major repair or maintenance. [40 CFR 60.4243(f)]

b. The permittee shall operate and maintain the stationary SI ICE such that the emission standards required in 40 CFR 60.4233 are achieved over the entire life of the engine [40 CFR 60.4234].

**3. Testing Requirements:**

a. 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]

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

b. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the permittee shall conduct a performance test to demonstrate compliance with the emission standards of 40 CFR 60.4233 [40 CFR 60.4243(e)].

c. If the permittee is required to conduct performance testing, the permittee must follow the procedures in 40 CFR 60.4244(a) through (f) [40 CFR 60.4244].

**4. Specific Monitoring Requirements:**
The permittee shall monitor the hours of operation of each engine on a monthly basis. [401 KAR 52:020, Section 10]

**5. Specific Recordkeeping Requirements:**

a. The permittee shall maintain records of hours of operation for each engine on a monthly basis. [401 KAR 52:020, Section 10]

b. The permittee shall maintain records of the manufacturer's certified emissions certificate, manufacturer's written operating instructions, and any procedures developed by the permittee that are approved by the engine manufacturer, over the entire life of the engine [401 KAR 52:020, Section 10].

c. The permittee must keep records of the information listed below [40 CFR 60.4245(a)]:

   i. All notifications submitted to comply with 40 CFR 60, Subpart JJJJ and all documentation supporting any notification.

   ii. Maintenance conducted on the engines.

   iii. If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 1048, 1054, and 1060, as applicable.

   iv. If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to 40 CFR 60.4243(a)(2), documentation that the engine meets the emission standards.

d. If the engines do not meet the standards applicable to non-emergency engines, the permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. [40 CFR 60.4245(b)]

Any records required to be maintained by 40 CFR 60, Subpart JJJJ that are submitted electronically via the EPA's CEDRI may be maintained in electronic format. This ability to maintain electronic copies does not affect the requirement for facilities to make records, data, and reports available

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

upon request to a delegated air agency or the EPA as part of an on-site compliance evaluation. [40 CFR 60.4245(j)]

6. **Specific Reporting Requirements:**
   a. For stationary SI ICE that are subject to performance testing, the permittee shall submit a copy of each performance test as conducted in 40 CFR 60.4244 within 60 days after the test has been completed [40 CFR 60.4245(d)].

   b. If the emergency stationary SI ICE has a maximum engine power more than 100 HP and operates for the purpose specified in 40 CFR 60.4243(d)(3)(i), the permittee shall submit an annual report according to the requirements in 40 CFR 60.4245(e)(1) through (3) [40 CFR 60.4245(e)].

      i. The report shall contain the following information: [40 CFR 60.4245(e)(1)]

         A. Company name and address where the engine is located. [40 CFR 60.4245(e)(1)(i)]

         B. Date of the report and beginning and ending dates of the reporting period. [40 CFR 60.4245(e)(1)(ii)]

         C. Engine site rating and model year. [40 CFR 60.4245(e)(1)(iii)]

         D. Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place. [40 CFR 60.4245(e)(1)(iv)]

         E. Hours spent for operation for the purposes specified in 40 CFR 60.4243(d)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 60.4243(d)(3)(i). The report shall also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine. [40 CFR 60.4245(e)(1)(vii)]

      ii. The annual reports for each calendar year shall be submitted no later than March 31 of the following calendar year [40 CFR 60.4245(e)(2)].

      iii. The annual report shall be submitted electronically using the Subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to 40 CFR 60, Subpart JJJJ is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in 40 CFR 60.4. Submit annual reports electronically according to 40 CFR 60.4245(g) [40 CFR 60.4245(e)(3)].

   c. Within 60 days after the date of completing each performance test, the permittee must submit the results following the procedures specified 40 CFR 60.4245(g). Data collected using test methods that are supported by the EPA's Electronic Reporting Tool (ERT) as listed on the EPA's ERT website (https://www.epa.gov/electronic-reporting-air-

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

emissions/electronic-reporting-tool-ert) at the time of the test must be submitted in a file format generated using the EPA's ERT. Alternatively, the permittee may submit an electronic file consistent with the extensible markup language (XML) schema listed on the EPA's ERT website. Data collected using test methods that are not supported by the EPA's ERT as listed on the EPA's ERT website at the time of the test must be included as an attachment in the ERT or an alternate electronic file [40 CFR 60.4245(f)].

d. If the permittee is required to submit notifications or reports following the procedure specified 40 CFR 60.4245(g), the permittee must submit notifications or reports to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI), which can be accessed through the EPA's Central Data Exchange (CDX) (https://cdx.epa.gov/). The EPA will make all the information submitted through CEDRI available to the public without further notice to the permittee. Do not use CEDRI to submit information claimed as CBI. [40 CFR 60.4245(g)].

e. If the permittee is required to electronically submit a report through CEDRI in the EPA's CDX, the permittee may assert a claim of EPA system outage for failure to timely comply with that reporting requirement. To assert a claim of EPA system outage, the permittee must meet the requirements outlined in 40 CFR 60.4245(h)(1) through (7). [40 CFR 60.4245(h)]

f. If the permittee is required to electronically submit a report through CEDRI in the EPA's CDX, the permittee may assert a claim of force majeure for failure to timely comply with that reporting requirement. To assert a claim of force majeure, the permittee must meet the requirements outlined in 40 CFR 60.4245(i)(1) through (5). [40 CFR 60.4245(i)]

g. See **Section F - Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

## SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, 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. | Pressurized Propane Tanks | N/A |
| 2. | Small Parts Cleaners | N/A |
| 3. | Laboratory Fume Hoods for Physical / Chemical Analysis | N/A |
| 4. | 1.8 MMBtu/hr Direct-Fired Natural Gas Cure Room Heater | 401 KAR 59:010, 401 KAR 63:020 |
| 5. | Cure Bin Washing Operation | N/A |
| 6. | Rolling Bin Washing Operation | N/A |

## 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. Particulate matter emissions and opacity measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.

3. To preclude applicability of 401 KAR 51:017, Prevention of Significant Deterioration, volatile organic compounds (VOCs) shall not exceed 216 tons in any 12 consecutive months. To demonstrate compliance with these emission limitations, the twelve-month rolling total shall be calculated monthly and reported semi-annually. The permittee shall maintain onsite, available for review by the Division, a log of the 12-month rolling total.

   *VOC Compliance Demonstration*:
   Monthly VOC emissions shall be calculated using the following formulas:

   Source-Wide VOC Emissions:

   $VOC_{Total}\left(\frac{tons}{month}\right) = \sum_{n=1}^{27} VOC_n\left(\frac{tons}{month}\right)$ + any VOC emissions from insignificant activities

   VOC Emissions from Emission Units 01 (101) and 02 (102A & 102B):

$$VOC_n\left(\frac{tons}{month}\right) = \frac{EF_n\left(\frac{lbs}{ton}\right) \times Tobacco\ Throughput_n\left(\frac{tons}{month}\right)}{2000\ \frac{lbs}{ton}}$$

   The following emission factors (EFs) shall be used for EU 01

| n | Facility ID | EF (lbs/ton) |
|---|---|---|
| 1 | BH0101 | 0.031 |
| 2 | CS0101 | 0.089 |
| 3 | CS0102 & CS0103 | 0.017 |
| 4 | BH0102 | 0.012 |
| 5 | DC0101 | 0.039 |
| 6 | BH0103 | 0.195 |
| 7 | CC0101 | 0.063 |
| 8 | CF0101 to CF0105 | 0.011 |

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

The following EFs shall be used for EU 02:

| n | Facility ID | EF (lbs/ton) |
|---|---|---|
| 9 | DF0201 | 2.1 |
| 10 | BH0201 | 0.039 |
| 11 | BH0202 | 0.169 |
| 12 | TP0201(SI0201-SI0202) Included | 0.017 |
| 13 | DA0201 | 0.308 |
| 14 | BH0205 | 0.169 |
| 15 | TP0202 (SI0203-SI0204) Included | 0.017 |

Tobacco Throughput for Emission Unit 01 (101) shall not exceed 22,482 tons during any 12 consecutive months.

Tobacco Throughput for Emission Unit 02 (102A) shall not exceed 11,241 tons during any 12 consecutive months.

Tobacco Throughput for Emission Unit 02 (102B) shall not exceed 11,241 tons during any 12 consecutive months.

VOC Emissions from Emission Unit 03 (103):

$$VOC_{16}\left(\frac{tons}{month}\right) = \frac{EF_{16}\left(\frac{lbs}{ton}\right) \times Tobacco\ Throughput_{16}\left(\frac{tons}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$$EF_{16} = 3.116\frac{lbs}{ton}$$

Tobacco Throughput for Emission Unit 03 (103) shall not exceed 29,976 tons during any 12 consecutive months.

VOC Emissions from Emission Unit 04 (104):

$$VOC_{17}\left(\frac{tons}{month}\right) = \frac{EF_{17}\left(\frac{lbs}{ton}\right) \times Tobacco\ Throughput_{17}\left(\frac{tons}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$$EF_{17} = 4.093\frac{lbs}{ton}$$

Tobacco Throughput for Emission Unit 04 (104) shall not exceed 29,976 tons during any 12 consecutive months.

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

VOC Emissions from Emission Units 05 (105) and 06 (106) for Propane:

$$VOC_{18}\left(\frac{tons}{month}\right)=\frac{EF_{18}\left(\frac{lbs}{Mgal}\right)\times Fuel\ Usage_{18}\left(\frac{Mgal}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$$EF_{18}=0.8\frac{lbs}{Mgal}$$

$Fuel\ Usage_{18}$ = Monthly propane fuel usage for EUs 05 & 06

VOC Emissions from Emission Units 05 (105) and 06 (106) for Natural Gas:

$$VOC_{19}\left(\frac{tons}{month}\right)=\frac{EF_{19}\left(\frac{lbs}{MMscf}\right)\times Fuel\ Usage_{19}\left(\frac{MMscf}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$$EF_{19}=3.88\frac{lbs}{MMscf}$$

$Fuel\ Usage_{19}$ = Monthly natural gas usage for EUs 05 & 06

VOC Emissions from Emission Unit 12 (112):

$$VOC_{20}\left(\frac{tons}{month}\right)=\frac{EF_{20}\left(\frac{lbs}{gal}\right)\times Pesticide\ Usage_{20}\left(\frac{gal}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$$EF_{20}=0.253\frac{lbs}{gal}$$

Pesticide usage shall not exceed 4,320 gallons in any 12 consecutive months.

VOC Emissions from Emission Unit 13 (113):

$$VOC_{21}\left(\frac{tons}{month}\right)=\frac{EF_{21}\left(\frac{lbs}{Mgal}\right)\times Diesel\ Usage_{21}\left(\frac{Mgal}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$$EF_{21}=4.48\frac{lbs}{Mgal}$$

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

VOC Emissions from Emission Unit 14 (114) Tobacco Finishing Process:

$$VOC_{22}\left(\frac{tons}{month}\right) = \frac{EF_{22}\left(\frac{lbs}{ton}\right) \times Tobacco\ Throughput_{22}\left(\frac{tons}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$$EF_{22} = 3.235\frac{lbs}{ton}$$

Finished tobacco throughput shall not exceed 39,100 tons during any 12 consecutive months.

VOC Emissions from Emission Unit 14 (114) pre-conditioner:

$$VOC_{23}\left(\frac{tons}{month}\right) = \frac{EF_{23}\left(\frac{lbs}{ton}\right) \times Tobacco\ Throughput_{23}\left(\frac{tons}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$$EF_{23} = 0.0246\frac{lbs}{ton}$$

Dry Pre- Conditioner tobacco throughput shall not exceed 2,190 tons during any 12 consecutive months.

VOC Emissions from Emission Unit 15 Tobacco Packing Process:

$$VOC_{24}\left(\frac{tons}{month}\right) = \frac{EF_{24}\left(\frac{lbs}{ton}\right) \times Tobacco\ Throughput_{24}\left(\frac{tons}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$$EF_{24} = 0.803\frac{lbs}{ton}$$

Tobacco Packing throughput shall not exceed 39,100 tons during any 12 consecutive months.

VOC Emissions from Emission Unit 15 Equipment Cleaning:

$$VOC_{25}\left(\frac{tons}{month}\right) = \frac{EF_{25}\left(\frac{lbs}{ton}\right) \times Cleaning\ spirits\ throughput\left(\frac{tons}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$$EF_{25} = 2000\frac{lbs}{ton}$$

Cleaning Finished tobacco Equipment spirits throughput shall not exceed 4.73 tons during any 12 consecutive months.

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

VOC Emissions from Emission Unit 16 (116):

$$VOC_{26}\left(\frac{tons}{month}\right) = \frac{EF_{26}\left(\frac{lbs}{MMscf}\right) \times Natural\ Gas_{26}\left(\frac{MMscf}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$EF_{26} = 30.19\frac{lbs}{MMscf}$ or that provided by the manufacturer

VOC Emissions from Emission Unit 17 (117):

$$VOC_{27}\left(\frac{tons}{month}\right) = \frac{EF_{27}\left(\frac{lbs}{MMscf}\right) \times Natural\ Gas_{27}\left(\frac{MMscf}{month}\right)}{2000\ \frac{lbs}{ton}}$$

$EF_{27} = 239.8\frac{lbs}{MMscf}$ or that provided by the manufacturer

4. In the absence of a standard specified in the administration regulations, all major air contaminant sources shall as a minimum apply control procedures that are reasonable, available, and practical [401 KAR 50:012 Section 1(2)].

   **Compliance Demonstration Method:**
   The permittee shall submit a Reasonable, Available, and Practical (RAP) control technology analysis addressing VOC emissions from the process units within 90 days after issuance of the final permit. The RAP analysis will identify details of the engineering estimation methodology used to determine the emission factor for VOC for each unit. The Division will notify the permittee in writing within 60 days from the date of submittal of the proposed RAP determination of the approval or denial of the submittal. If the proposed RAP determination is denied, the Division will identify the deficiencies in the written notification, and specify a timeframe to submit a revised RAP determination. Once the RAP determination is approved by the Division, the permittee shall operate according to the selected control procedures in the RAP determination. The RAP determination will be incorporated into the permit at the next significant revision or renewal of the permit.

## 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.
   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

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

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<br>Paduch Regional Office<br>130 Eagle Nest Drive<br>Paducah, KY 421003 | U.S. EPA Region 4<br>Air Enforcement Branch<br>Atlanta Federal Center<br>61 Forsyth St. SW<br>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

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein, emission units EU15, EU16, and EU17. It also includes the addition of equipment for emission unit 01 (seventh Bulking bin, fifth Cutter and Dust collector; for emission unit 02 (the addition of four storage Silos); for emission unit EU3 (addition of Cylinder Mixer, two use Hoppers, Dust collector and Tote

## SECTION G - GENERAL PROVISIONS (CONTINUED)

Dumper) and for emission unit EU14 (addition of cure bin dumper, a tobacco pre-conditioner and three finishing Mixers for a total of four finishing Mixers) in accordance with the terms and conditions of this permit (V-26-030).

a. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.

b. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, notification of the following:
   (1) The date when construction commenced.
   (2) The date of start-up of the affected facilities listed in this permit.
   (3) The date when the maximum production rate specified in the permit application was achieved.

c. Pursuant to 401 KAR 52:020, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.

d. Pursuant to 401 KAR 50:055, Section 2(1)(a), an owner or operator of any affected facility subject to any standard within the administrative regulations of the Division for Air Quality shall demonstrate compliance with the applicable standard(s) within sixty (60) days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial start-up of such facility. Pursuant to 401 KAR 52:020, Section 3(3)(c), sources that have not demonstrated compliance within the timeframes prescribed in 401 KAR 50:055, Section 2(1)(a), shall operate the affected facility only for purposes of demonstrating compliance unless authorized under an approved compliance plan or an order of the cabinet.

e. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements. Testing must also be conducted in accordance with General Provisions G.5 of this permit.

f. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

## 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
N/A

## SECTION I - COMPLIANCE SCHEDULE
N/A