

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

**Draft**

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

**Permittee Name:** Kenton County Airport Board (KCAB)  
**Mailing Address:** 2939 Terminal Drive  
Hebron, KY 41048

**Source Name:** Kenton County Airport Board (KCAB)  
**Mailing Address:** Cincinnati - Northern Kentucky International  
Airport  
2939 Terminal Drive  
Hebron, KY 41048

**Source Location:** Same as Above

**Permit ID:** F-23-042  
**Agency Interest #:** 197  
**Activity ID:** APE20230001  
**Review Type:** Conditional Major, Operating  
**Source ID:** 21-015-00148

**Regional Office:** Florence Regional Office  
8020 Veterans Memorial Drive, Suite 110  
Florence, KY 41042  
(859) 525-4923

**County:** Boone

**Application  
Complete Date:** October 25, 2023  
**Issuance Date:**  
**Expiration Date:**

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

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<b>Permit</b>	<b>Permit Type</b>	<b>Activity#</b>	<b>Complete Date</b>	<b>Issuance Date</b>	<b>Summary of Action</b>
F-23-042	Renewal	APE20230001	2/1/2024		Conditional Major Permit Renewal

## **SECTION A - PERMIT AUTHORIZATION**

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

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

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

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

### Emission Unit 01 Natural Gas Fired Indirect Heat Exchangers

#### Description:

Emission Point	Location	Year Constructed	Operating Rate (MMBtu/hr)
EP-33	T-3 Parking Garage	1989	1.47
EP-35	Terminal 3	1993	6.856
EP-36	Terminal 3		6.856
EP-37	Terminal 3		6.856
EP-38	Concourse B		6.68
EP-39	Concourse B		6.68
EP-40	Concourse B		6.68
EP-41	Concourse B		6.68
EP-42	Concourse B		6.68
EP-44	CVG Centre	1999	5
EP-45	CVG Centre		5
EP-52	Concourse A	2006	6
EP-53	Concourse A		6
EP-54	Concourse A	2007	2
EP-55	Concourse A		2
EP-56	Concourse A		2
EP-57	Concourse A		2
EP-58	Concourse A		2
EP-59	Concourse A		2
EP-85	Field Maintenance Building #3	1976	3
EP-100	Terminal 3		3.12
EP-101	Concourse A		2.348
EP-105	Sign Shop		1.4
EP-111	CONRAC CSB	2021	2.5
EP-112	CONRAC CSB		2.5

#### **APPLICABLE REGULATION:**

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

#### **1. Operating Limitations:**

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

- a. The permittee shall comply with 401 KAR 50:055, Section 2(5); [401 KAR 59:015, Section 7(1)(a)]
- b. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility; [401 KAR 59:015, Section 7(1)(b)]

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

- c. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods; [401 KAR 59:015, Section 7(1)(c)]
- d. The actions, including duration of the startup period, of the permittee during startup and shutdown periods, shall be documented in signed, contemporaneous logs or other relevant evidence; and [401 KAR 59:015, Section 7(1)(d)]
- e. Startups and shutdowns shall be conducted according to either: [401 KAR 59:015, Section 7(1)(e)]
  - i. The manufacturer's recommended procedures; or [401 KAR 59:015, Section 7(1)(e)1.]
  - ii. Recommended procedures for a unit of similar design, for which manufacturer's recommended procedures are available, as approved by the cabinet based on documentation provided by the permittee. [401 KAR 59:015, Section 7(1)(e)2.]

**Compliance Demonstration Method:**

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

**2. Emission Limitations:**

- a. The permittee shall not cause emissions of particulate matter in excess of the following: [401 KAR 59:015, Section 4(1)(a) and (c)]
  - i. 0.56 lb/MMBtu, for each unit constructed in 1976;
  - ii. 0.54 lb/MMBtu, for each unit constructed in 1989;
  - iii. 0.36 lb/MMBtu, for each unit constructed in 1993;
  - iv. 0.35 lb/MMBtu, for each unit constructed in 1999;
  - v. 0.34 lb/MMBtu, for each unit constructed in 2006;
  - vi. 0.33 lb/MMBtu, for each unit constructed in 2007; and
  - vii. 0.32 lb/MMBtu, for each unit constructed in 2021.
- b. The permittee shall not cause emissions of particulate matter in excess of 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
  - i. A maximum of 40 percent opacity shall be allowed for a maximum of 6 consecutive minutes in any 60 minutes during fire box cleaning or soot blowing; and [401 KAR 59:015, Section 4(2)(b)]
  - ii. For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 4(2)(c)]

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

- c. The permittee shall not cause emissions of gases that contain sulfur dioxide in excess of the following: [401 KAR 59:015, Section 5(1)(a)1. and (c)]
- i. 3.0 lb/MMBtu, for each unit constructed in 1976;
  - ii. 2.8 lb/MMBtu, for each unit constructed in 1989;
  - iii. 1.4 lb/MMBtu, for each unit constructed in 1993;
  - iv. 1.3 lb/MMBtu, for each unit constructed in 1999;
  - v. 1.2 lb/MMBtu, for each unit constructed in 2006;
  - vi. 1.2 lb/MMBtu, for each unit constructed in 2007; and
  - vii. 1.1 lb/MMBtu, for each unit constructed in 2021.

**Compliance Demonstration:**

Compliance with particulate matter, opacity, and sulfur dioxide limits shall be assumed while combusting natural gas.

- d. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide NO<sub>x</sub> emission limitations.

**3. Testing Requirements:**

Testing shall be conducted at such times as may be requested 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 source-wide natural gas consumption, in MMscf, on a monthly basis. [401 KAR 52:030, Section 10]

**5. Specific Recordkeeping Requirements:**

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

**6. Specific Reporting Requirements:**

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

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

Emission Unit 02

Diesel Fired Emergency Engines Pre June 12, 2006 units

**Description:**

Emission Point	Make/Model	Manufacture Year	Commenced Construction	Operating Rate (kW)	Operating Rate (HP)
EG-04	Cummins 275DFML33483M	1989	9/20/1989	275	368.5
EG-05	Cummins DFCB4490295	2000	6/30/2000	300	402
EG-06	Cummins 12.5RooP81	Pre-2006	Pre-2006	12	16.08
EG-07	Cummins 249-0152-03	1988	6/12/1988	300	402
EG-08	Cummins KTA19G2	1990	6/1/1990	400	536
EG-09	Cummins 285HC4AL/2A	1990	12/1/1990	230	308.2
EG-10	Detroit 250DS60	1992	7/1/1992	250	335
EG-12	Cummins 4BT8.9-G\$	Pre-2006	Pre-2006	50	67
EG-13	Cummins 6BT5.9-G1	1992	5/15/1992	80	107.2
EG-14	Kohler 500OOVE-1	Pre-2006	Pre-2006	500	670
EG-15	Kohler 500OOVE-1	Pre-2006	Pre-2006	500	670
EG-17	Kohler 500OOVE-1	1992	2/2/1992	500	670
EG-18	Kohler 500OOVE-1	Pre-2006	Pre-2006	500	670
EG-19	Kohler 500ROZD71	1992	2/2/1992	500	670
EG-20	Cummins 80DGDAL30441R	1990	2/2/1990	80	107.2
EG-21	Detroit 20DSJ	Pre-2006	Pre-2006	26	34.84
EG-22	Cummins DGEA-5002028	2000	2/2/2001	125	167.5
EG-23	Kohler 750 ROZD4	2/28/2004	2/28/2004	750	1,005
EG-24	Cummins 150DGFA-4823	2004	10/26/2004	150	201
EG-26	Kohler 500REOZV	2003	10/1/2003	475	636.5
EG-27	Cummins DGDA-5900486	Pre-2006	Pre-2006	80	107.2
EG-28	Kohler 600ROZD71	1999	5/1/1999	600	804
EG-30	Cummins DSGAC-10088859	Pre-2006	Pre-2006	80	107.2
EG-31	Kohler 300REOZD	1999	Pre-2006	410	549.4

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

### **APPLICABLE REGULATION:**

**401 KAR 63:002, Section 2(4)(eeee)**, 40 CFR 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. For the engines to be considered emergency stationary RICE, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described below, is prohibited. If the engines are not operated according to the requirements below, the engines will not be considered emergency engines and shall meet all requirements for non-emergency engines in 40 CFR 63, Subpart ZZZZ. [40 CFR 63.6640(f)]
  - i. There is no time limit on the use of emergency engines in emergency situations. [40 CFR 63.6640(f)(1)]
  - ii. The permittee may operate the emergency engines for the purpose specified below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed below counts as part of the 100 hours per calendar year allowed [40 CFR 63.6640(f)(2)]. Emergency engines 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 63.6640(f)(2)(i)]
  - iii. Emergency engines may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 63.6640(f)(2). Except as provided in 40 CFR 63.6640(f)(4)(ii), 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. [40 CFR 63.6640(f)(4)]
  - iv. 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 of the following conditions are met: [40 CFR 63.6640(f)(4)(ii)]
    - A. The engine is dispatched by the local balancing authority or local transmission and distribution system operator. [40 CFR 63.6640(f)(4)(ii)(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 63.6640(f)(4)(ii)(B)]

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

- 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 63.6640(f)(4)(ii)(C)]
  - D. The power is provided only to the facility itself or to support the local transmission and distribution system. [40 CFR 63.6640(f)(4)(ii)(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 63.6640(f)(4)(ii)(E)]
  - F. For engines over 100 HP: if an engine is operated for this purpose, the permittee shall use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted. [40 CFR 63.6604(b)]
- b. The permittee shall meet the following requirements: [40 CFR 63.6603(a) referencing Table 2d of 40 CFR 63, Subpart ZZZZ]
    - i. Change oil and filter every 500 hours of operation or annually, whichever comes first. The permittee has the option of using an oil analysis program, following the procedures in 40 CFR 63.6625(i) or (j) in order to extend the specified oil change requirement; [40 CFR 63, Subpart ZZZZ, Table 2d, Item 4.a. and Footnote 1]
    - ii. Inspect air cleaner every 1000 hours of operation or annually, whichever comes first, and replace as necessary; and [40 CFR 63, Subpart ZZZZ, Table 2d, Item 4.b.]
    - iii. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [40 CFR 63, Subpart ZZZZ, Table 2d, Item 4.c.]
    - iv. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources shall report any failure to perform the management practice on the schedule required and the federal, state, or local law under which the risk was deemed unacceptable. [40 CFR 63, Subpart ZZZZ, Table 2d, Footnote 2]

**Compliance Demonstration Method:**

The permittee shall demonstrate continuous compliance by operating and maintaining the engines according to the manufacturer's emission-related operation and maintenance instructions or develop and follow a maintenance plan which shall provide to the extent

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

practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [Table 6, Item 9.a. of 40 CFR 63, Subpart ZZZZ]

- c. The permittee shall operate and maintain the engines according to the manufacturer's emission-related written instructions or develop the permittee's own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 63.6625(e)(3)]
- d. The permittee shall install a non-resettable hour meter if one is not already installed. [40 CFR 63.6625(f)]
- e. At all times the permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by the standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.6605(b)]

**2. Emission Limitations:**

See **Section D – Source Emission Limitations and Testing Requirements** for source-wide NO<sub>x</sub> emission limitations.

**3. Testing Requirements:**

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

**4. Specific Monitoring Requirements:**

- a. The permittee shall monitor the amount of fuel used, in gallons, for each engine on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall monitor the hours of operation for each engine on a monthly basis. [401 KAR 52:030, Section 10]

**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain records of the amount of fuel used, in gallons, for each engine on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain records of the maintenance conducted on each engine in order to demonstrate that the permittee operated and maintained the engines and after-treatment control device (if any) according to the facility's maintenance plan. [40 CFR 63.6655(e)(2)]
- c. The permittee shall maintain records of the hours of operation of each engine that is recorded through the non-resettable hour meter on a monthly basis. The permittee shall

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

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. If an engine is used for the purpose specified in 40 CFR 63.6640(f)(4)(ii), the permittee shall maintain records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. [40 CFR 63.6655(f)(2)]

- d. The permittee shall maintain each record in a form suitable and readily available for expeditious review in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or records, according to 40 CFR 63.10(b)(1). [40 CFR 63.6660]

**6. Specific Reporting Requirements:**

- a. The permittee shall report each instance in which the permittee did not meet each operating limitation. These instances are deviations from the limitations in 40 CFR 63, Subpart ZZZZ and shall be reported according to the requirements in 40 CFR 63.6650. [40 CFR 63.6640(b)]
- b. The Compliance report shall contain the following information: [40 CFR 63.6650(c)]
  - i. Company name and address. [40 CFR 63.6650(c)(1)]
  - ii. Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report. [40 CFR 63.6650(c)(2)]
  - iii. Date of report and beginning and ending dates of the reporting period. [40 CFR 63.6650(c)(3)]
  - iv. If there was a malfunction during the reporting period, the compliance report shall include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report shall also include a description of actions taken by the permittee during a malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including actions taken to correct a malfunction. [40 CFR 63.6650(c)(4)]
  - v. If there are no deviations from any operating limitation that applies, a statement that there were no deviations from the emission or operating limitations during the reporting period. [40 CFR 63.6650(c)(5)]
  - vi. For each deviation from an operating limitations that occurs, include the total operating time of the engine at which the deviation occurred during the reporting period and information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken. [40 CFR 63.6650(d)(1) and (d)(2)]
- c. If an engine operates for the purposes specified in 40 CFR 63.6640(f)(4)(ii), the permittee shall submit an annual report according to the following: [40 CFR 63.6650(h)]
  - i. The report shall contain the following information: [40 CFR 63.6650(h)(1)]

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

- A. Company name and address where the engine is located. [40 CFR 63.6650(h)(1)(i)]
  - B. Date of the report and beginning and ending dates of the reporting period. [40 CFR 63.6650(h)(1)(ii)]
  - C. Engine site rating and model year. [40 CFR 63.6650(h)(1)(iii)]
  - D. Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place. [40 CFR 63.6650(h)(1)(iv)]
  - E. Hours operated for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii). [40 CFR 63.6650(h)(1)(v)]
  - F. Number of hours the engine is contractually obligated to be available for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii). [40 CFR 63.6650(h)(1)(vi)]
  - G. Hours spent for operation for the purpose specified in 40 CFR 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 63.6640(f)(4)(ii). The report shall also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine. [40 CFR 63.6650(h)(1)(vii)]
  - H. If there were no deviations from the fuel requirement in 40 CFR 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period. [40 CFR 63.6650(h)(1)(viii)]
  - I. If there were deviations from the fuel requirements in 40 CFR 63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken. [40 CFR 63.6650(h)(1)(ix)]
- ii. The first annual report shall cover the calendar year 2015 and shall be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year shall be submitted no later than March 31 of the following calendar year. [40 CFR 63.6650(h)(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](http://www.epa.gov/cdx)). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report shall be submitted to the Administrator at the appropriate address listed in 40 CFR 63.13. [40 CFR 63.6650(h)(3)]
- d. See **Section F – Monitoring, Recordkeeping and Reporting Requirements**.

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

### Emission Unit 03                      Emergency Engines

#### Description:

Emission Point	Make/Model	Manufacture Year	Commenced Constructed:	Operating Rate (kW)	Operating Rate (HP)
PEG-02	Cummins DSGAB-1233093	2009	10/9/2009	75	100
EG-11	Cummins OS87-G3 NR3	2008	12/3/2008	155	207.9
EG-32	Cummins DQDAC-1666149	2015	1/31/2017	300	402.4
EG-33	Cummins DFEK-2089515	2018	10/20/2021	500	670.6

#### APPLICABLE REGULATIONS:

**401 KAR 60:005, Section 2(2)(dddd)**, 40 CFR 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 CFR 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 shall meet the requirements of 40 CFR Part 63 by meeting the requirements of 40 CFR Part 60, Subpart IIII. No further requirements apply from 40 CFR Part 63, Subpart ZZZZ. [40 CFR 63.6590(c)(1)]
- b. For the engines to be considered a emergency engines, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described below, is prohibited. If the permittee does not operate the engine according to the requirements below, the engine will not be considered an emergency engine under 40 CFR 60, Subpart IIII and shall meet all requirements for non-emergency engines. [40 CFR 60.4211(f)]
  - i. There is no time limit on the use of emergency engines in emergency situations. [40 CFR 60.4211(f)(1)]

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

- ii. The permittee may operate the emergency engines for the purpose specified in 40 CFR 60.4211(f)(2)(i) for a maximum of 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 allowed by 40 CFR 60.4211(f)(2) [40 CFR 60.4211(f)(2)]. Emergency engines 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 engine beyond 100 hours per calendar year. [40 CFR 60.4211(f)(2)(i)]
- iii. Emergency engines 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 60.4211(f)(2). 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)]
  - A. 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 of the following conditions are met: [40 CFR 60.4211(f)(3)(i)]
    - I. The engine is dispatched by the local balancing authority or local transmission and distribution system operator; [40 CFR 60.4211(f)(3)(i)(A)]
    - II. 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 60.4211(f)(3)(i)(B)]
    - III. 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 60.4211(f)(3)(i)(C)]
    - IV. The power is provided only to the facility itself or to support the local transmission and distribution system. [40 CFR 60.4211(f)(3)(i)(D)]
    - V. 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 60.4211(f)(3)(i)(E)]

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

- c. The permittee shall use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. [40 CFR 60.4207(b)]
- d. The permittee shall: [40 CFR 63.4211(a)]
  - i. Operate and maintain the engines according to the manufacturer's emission-related written instructions; [40 CFR 60.4211(a)(1)]
  - ii. Change only those emission-related settings that are permitted by the manufacturer; and [40 CFR 60.4211(a)(2)]
  - iii. Meet the requirements of 40 CFR part 1068, as they apply. [40 CFR 60.4211(a)(3)]
- e. If the permittee of an emergency stationary CI internal combustion engine does not meet the standards applicable to non-emergency engines, the permittee shall install a non-resettable hour meter prior to startup of the engine. [40 CFR 60.4209(a)]

### 2. **Emission Limitations:**

- a. Exhaust emissions shall not exceed the following: [40 CFR 60.4202(a)(2), 40 CFR 60.4205(b), 40 CFR part 1039, Appendix I]

Rated Power	NMHC + NO <sub>x</sub>	CO	PM
75≤kW<130	4.0 g/kW-hr	5.0 g/kW-hr	0.30 g/kW-hr
130≤kW<560	4.0 g/kW-hr	3.5 g/kW-hr	0.20 g/kW-hr

- b. Exhaust opacity shall not exceed: [40 CFR 1039.105(b)]
  - i. 20 percent during the acceleration mode; [40 CFR 1039.105(b)(1)]
  - ii. 15 percent during the lugging mode; and [40 CFR 1039.105(b)(2)]
  - iii. 50 percent during the peaks in either the acceleration or lugging modes. [40 CFR 1039.105(b)(3)]

### **Compliance Demonstration Method:**

Compliance with exhaust emissions and opacity is demonstrated by purchasing an engine certified to the emission standards in 40 CFR 60.4204(b), for the same model year and maximum engine power. The engine shall be installed and configured according to the manufacturer's emission-related specifications [40 CFR 60.4211(c)] over the entire life of the engine [40 CFR 60.4206]. If the permittee does not install, configure, operate, and maintain each engine according to the manufacturer's emission-related written instructions, or the permittee changes emission-related settings in a way that is not permitted by the manufacturer, the permittee shall demonstrate compliance as follows: [40 CFR 60.4211(g)]

- I. Keep a maintenance plan and records of conducted maintenance and, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 60.4211(g)(2)]

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

- II. 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 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)(2)]
  - III. For EG-31, and any other engine greater than 500 HP, the permittee shall conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards. [40 CFR 60.4211(g)(3)]
  - c. See **Section D – Source Emission Limitations and Testing Requirements** for source-wide NO<sub>x</sub> emission limitations.
- 3. Testing Requirements:**
- a. Testing shall conform to the requirements of 40 CFR 60.4212(a) through (e), as appropriate. [40 CFR 60.4212]
  - b. 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 amount of diesel fuel combusted, in gallons, for each engine on a monthly basis. [401 KAR 52:030, Section 10]
- 5. Specific Recordkeeping Requirements:**
- a. The permittee shall 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 shall record the time of operation of the engine and the reason the engine was in operation during that time. [40 CFR 60.4214(b)]
  - b. The permittee shall compile and maintain records of the hours of operation and diesel fuel combusted, in gallons, by each engine on a monthly basis. [401 KAR 52:030, Section 10]
- 6. Specific Reporting Requirements:**
- a. If the engine operates for the purposes specified in 40 CFR 60.4211(f)(3)(i), the permittee shall submit an annual report according to the following requirements: [40 CFR 60.4214(d)]
    - i. The report shall contain the following information: [40 CFR 60.4214(d)(1)]
      - A. Company name and address where the engine is located. [40 CFR 60.4214(d)(1)(i)]
      - B. Date of the report and beginning and ending dates of the reporting period. [40 CFR 60.4214(d)(1)(ii)]
      - C. Engine site rating and model year. [40 CFR 60.4214(d)(1)(iii)]

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

- D. Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place. [40 CFR 60.4214(d)(1)(iv)]
  - E. Hours operated for the purposes specified in 40 CFR 60.4211(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 60.4211(f)(2)(ii) and (iii). [40 CFR 60.4214(d)(1)(v)]
  - F. Number of hours the engine is contractually obligated to be available for the purposes specified in 40 CFR 60.4211(f)(2)(ii) and (iii). [40 CFR 60.4214(d)(1)(vi)]
  - G. Hours spent for operation for the purposes specified in 40 CFR 60.4211(f)(3)(i), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 60.4211(f)(3)(i). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine. [40 CFR 60.4214(d)(1)(vii)]
- ii. Annual reports for each calendar year shall be submitted no later than March 31 of the following calendar year. [40 CFR 60.4214(d)(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](http://www.epa.gov/cdx)). However, if the reporting form specific to 40 CFR 60, Subpart IIII 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. [40 CFR 60.4214(d)(3)]
- b. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements.**

**SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)****Emission Unit 04                      Fire Pump Engine (Diesel)****Description:**

Manufacturer: Detroit Diesel

Operating Rate: 175 HP (130.6 kW)

Fuel: Diesel (ULSD)

Construction Commenced: 2/28/1985

**APPLICABLE REGULATION:**

**401 KAR 63:002, Section 2(4)(eeee)**, 40 CFR 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

**NON-APPLICABLE REGULATION:**

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

**1. Operating Limitations:**

- a. For the engine to be considered an emergency stationary RICE, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described below, is prohibited. If the engine is not operated according to the requirements below, the engine will not be considered an emergency engine and shall meet all requirements for non-emergency engines in 40 CFR 63, Subpart ZZZZ. [40 CFR 63.6640(f)]
  - i. There is no time limit on the use of emergency engines in emergency situations. [40 CFR 63.6640(f)(1)]
  - ii. The permittee may operate the emergency engine for the purpose specified below for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed below counts as part of the 100 hours per calendar year allowed [40 CFR 63.6640(f)(2)]. Emergency engines 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 63.6640(f)(2)(i)]

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

- iii. Emergency engines may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 63.6640(f)(2). Except as provided in 40 CFR 63.6640(f)(4)(ii), 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. [40 CFR 63.6640(f)(4)] 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 of the following conditions are met: [40 CFR 63.6640(f)(4)(ii)]
  - A. The engine is dispatched by the local balancing authority or local transmission and distribution system operator. [40 CFR 63.6640(f)(4)(ii)(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 63.6640(f)(4)(ii)(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 63.6640(f)(4)(ii)(C)]
  - D. The power is provided only to the facility itself or to support the local transmission and distribution system. [40 CFR 63.6640(f)(4)(ii)(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 63.6640(f)(4)(ii)(E)]
  - F. If the engine is operated for this purpose, the permittee shall use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted. [40 CFR 63.6604(b)]
- b. The permittee shall meet the following requirements: [40 CFR 63.6603(a) referencing Table 2d of 40 CFR 63, Subpart ZZZZ]
  - i. Change oil and filter every 500 hours of operation or annually, whichever comes first. The permittee has the option of using an oil analysis program following the procedures in 40 CFR 63.6625(i) or (j) in order to extend the specified oil change requirement; [40 CFR 63, Subpart ZZZZ, Table 2d, Item 4.a. and Footnote 1]
  - ii. Inspect air cleaner every 1000 hours of operation or annually, whichever comes first, and replace as necessary; and [40 CFR 63, Subpart ZZZZ, Table 2d, Item 4.b.]

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

- iii. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [40 CFR 63, Subpart ZZZZ, Table 2d, Item 4.c.]
- iv. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources shall report any failure to perform the management practice on the schedule required and the federal, state, or local law under which the risk was deemed unacceptable. [40 CFR 63, Subpart ZZZZ, Table 2d, Footnote 2]

**Compliance Demonstration Method:**

The permittee shall demonstrate continuous compliance by operating and maintaining the engines according to the manufacturer's emission-related operation and maintenance instructions or develop and follow a maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [Table 6, Item 9.a. of 40 CFR 63, Subpart ZZZZ]

- c. The permittee shall operate and maintain the engine according to the manufacturer's emission-related written instructions or develop the permittee's own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 63.6625(e)(3)]
- d. The permittee shall install a non-resettable hour meter if one is not already installed. [40 CFR 63.6625(f)]
- e. At all times the permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.6605(b)]

**2. Emission Limitations:**

See **Section D – Source Emission Limitations and Testing Requirements** for source-wide NO<sub>x</sub> emission limitations.

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

### **3. Testing Requirements:**

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

### **4. Specific Monitoring Requirements:**

- a. The permittee shall monitor the amount of fuel used, in gallons, on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall monitor the hours of operation on a monthly basis. [401 KAR 52:030, Section 10]

### **5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain records of the amount of fuel used, in gallons, on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain records of the maintenance conducted on each engine in order to demonstrate that the permittee operated and maintained the engines and after-treatment control device (if any) according to the facility's maintenance plan. [40 CFR 63.6655(e)(2)]
- c. The permittee shall keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee shall 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. If the engine is used for the purposes specified in 40 CFR 63.6640(f)(4)(ii), the permittee shall keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. [40 CFR 63.6655(f)(2)]
- d. The permittee shall maintain each record in a form suitable and readily available for expeditious review in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or records, according to 40 CFR 63.10(b)(1). [40 CFR 63.6660]

### **6. Specific Reporting Requirements:**

- a. The permittee shall report each instance in which the permittee did not meet each operating limitation. These instances are deviations from the limitations in 40 CFR 63, Subpart ZZZZ and shall be reported according to the requirements in 40 CFR 63.6650. [40 CFR 63.6640(b)]
- b. The Compliance report shall contain the following information: [40 CFR 63.6650(c)]
  - i. Company name and address. [40 CFR 63.6650(c)(1)]
  - ii. Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report. [40 CFR 63.6650(c)(2)]
  - iii. Date of report and beginning and ending dates of the reporting period. [40 CFR 63.6650(c)(3)]

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

- iv. If there was a malfunction during the reporting period, the compliance report shall include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report shall also include a description of actions taken by the permittee during a malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including actions taken to correct a malfunction. [40 CFR 63.6650(c)(4)]
  - v. If there are no deviations from any operating limitation that applies, a statement that there were no deviations from the emission or operating limitations during the reporting period. [40 CFR 63.6650(c)(5)]
  - vi. For each deviation from an operating limitations that occurs, include the total operating time of the engine at which the deviation occurred during the reporting period and information on the number, duration, and cause of deviations (including unknown cause, if applicable), as applicable, and the corrective action taken. [40 CFR 63.6650(d)(1) and (d)(2)]
- c. If the engine operates for the purposes specified in 40 CFR 63.6640(f)(4)(ii), the permittee shall submit an annual report according to the following: [40 CFR 63.6650(h)]
- i. The report shall contain the following information: [40 CFR 63.6650(h)(1)]
    - A. Company name and address where the engine is located. [40 CFR 63.6650(h)(1)(i)]
    - B. Date of the report and beginning and ending dates of the reporting period. [40 CFR 63.6650(h)(1)(ii)]
    - C. Engine site rating and model year. [40 CFR 63.6650(h)(1)(iii)]
    - D. Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place. [40 CFR 63.6650(h)(1)(iv)]
    - E. Hours operated for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii). [40 CFR 63.6650(h)(1)(v)]
    - F. Number of hours the engine is contractually obligated to be available for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii). [40 CFR 63.6650(h)(1)(vi)]
    - G. Hours spent for operation for the purpose specified in 40 CFR 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 63.6640(f)(4)(ii). The report shall also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine. [40 CFR 63.6650(h)(1)(vii)]
    - H. If there were no deviations from the fuel requirement in 40 CFR 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period. [40 CFR 63.6650(h)(1)(viii)]

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

- I. If there were deviations from the fuel requirements in 40 CFR 63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken. [40 CFR 63.6650(h)(1)(ix)]
  - ii. The first annual report shall cover the calendar year 2015 and shall be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year shall be submitted no later than March 31 of the following calendar year. [40 CFR 63.6650(h)(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](http://www.epa.gov/cdx)). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report shall be submitted to the Administrator at the appropriate address listed in 40 CFR 63.13. [40 CFR 63.6650(h)(3)]
- d. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements.**

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

### Emission Unit 06 Gasoline Dispensing Facilities

#### Description:

Emission Point	Dispensers	Storage Tank	Average Monthly Throughput (gal/mo)	Operating Rate (gal/mo)
GDF #1 (EP-201)	D-01	UST Tank 29 (20,000-gal capacity)	8,000	<100,000
	D-02		8,000	
GDF #2 (EP-202)	D-13	AST Tank 55 (10,000-gal capacity)	11,000	<100,000
	D-14		11,000	

#### APPLICABLE REGULATION:

**401 KAR 63:002, Section 2(4)(ddddd)**, 40 CFR 63.11110 through 63.11132, Tables 1 through 3 (Subpart CCCCCC), National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities

#### 1. Operating Limitations:

- a. To maintain the current classification of the gasoline tanks, the total monthly throughput of gasoline from each gasoline dispensing facility (GDF) shall not exceed 100,000 gallons. [40 CFR 63.11111]
- b. The permittee shall, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the cabinet which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 CFR 63.11115(a)]
- c. If a GDF ever exceeds an applicable throughput threshold, the GDF will remain subject to the requirements for sources above the threshold, even if the affected source throughput later falls below the applicable throughput threshold. [40 CFR 63.11111(i)]
- d. The permittee shall comply with the requirements in 40 CFR 63.11116(a). [40 CFR 63.11117(a)]
  - i. The permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following: [40 CFR 63.11116(a)]
    - A. Minimize gasoline spills; [40 CFR 63.11116(a)(1)]
    - B. Clean up spills as expeditiously as practicable; [40 CFR 63.11116(a)(2)]
    - C. Cover all open gasoline containers and all gasoline storage fill-pipes with a gasketed seal when not in use; and [40 CFR 63.11116(a)(3)]

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

- D. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators. [40 CFR 63.11116(a)(4)]
- e. With the exception of 40 CFR 63.11117(c), the permittee must only load gasoline into storage tanks at the facility by utilizing submerged filling, as defined in 40 CFR 63.11132, and as specified in 40 CFR 63.11117(b)(1), (b)(2), or (b)(3). The applicable distances 40 CFR 63.11117(b)(1) and (b)(2) shall be measured from the point in the opening of the submerged fill pipe that is the greatest distance from the bottom of the storage tank. [40 CFR 63.11117(b)]
  - i. Submerged fill pipes installed on or before November 9, 2006, must be no more than 12 inches from the bottom of the tank. [40 CFR 63.11117(b)(1)]
  - ii. Submerged fill pipes installed after November 9, 2006, must be no more than 6 inches from the bottom of the tank. [40 CFR 63.11117(b)(2)]
  - iii. Submerged fill pipes not meeting the specifications of 40 CFR 63.11117(b)(1) and (b)(2) are allowed if the permittee can demonstrate that the liquid level in the tank is always above the entire opening of the fill pipe. Documentation providing such a demonstration must be made available for inspection by the Administrator's delegated representative during a site visit. [40 CFR 63.11117(b)(3)]

**2. Emission Limitations:**

NA

**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:**

NA

**5. Specific Recordkeeping Requirements:**

- a. Records shall be kept of the monthly throughput of the total gasoline to the tank. [401 KAR 52:030, Section 10]
- b. Records shall be maintained of the date and time of gasoline spills and clean-up efforts. [401 KAR 52:030, Section 10]
- c. The permittee is not required to submit notifications or reports as specified in 40 CFR 63.11125, 40 CFR 63.11126, or subpart A of 40 CFR part 60, but the permittee must have records available within 24 hours of a request by the Administrator to document the gasoline throughput. Records required herein shall be kept for a period of 5 years. [40 CFR 63.11111(e) and 40 CFR 63.11116(b)]

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

### **6. Specific Reporting Requirements:**

- a. Each operator of a GDF under this subpart shall report, by March 15 of each year, the number, duration, and a brief description of each type of malfunction which occurred during the previous calendar year, and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an operator during a malfunction of a GDF to minimize emissions in accordance with CFR 40 63.11115(a), including actions taken to correct a malfunction. No report is necessary for a calendar year in which no malfunctions occurred. [40 CFR 63.11126(b)]
  
- b. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements.**

**SECTION C - INSIGNIFICANT ACTIVITIES**

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

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Propane Heaters/Heat Exchangers (<1 MMBtu/hr)	401 KAR 63:020
2. Natural Gas Heaters/Heat Exchangers (<1 MMBtu/hr)	401 KAR 63:020
3. EP-126 - Spray Coating (0.05 gallon/hr)	401 KAR 59:010
4. EP-128 - Welding Operations	401 KAR 63:020
5. EP-129 - 100% Propylene Glycol Tank (4 – 20,000 gal)	N/A
6. EP-130 - 50% Propylene Glycol Tank (125,000 gal)	N/A
7. EP-131 - Propylene Glycol Evaporator with Condenser	N/A
8. EP-132 - 6% average propylene glycol tanks (19.5 million gallons)	N/A
9. EP-133 - Diesel Fuel Transfer & Dispensing Operation	N/A
10. EP-137 - Off-Road Diesel Fuel Transfer & Dispensing	N/A

## SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Particulate matter, sulfur dioxide, volatile organic compounds, carbon monoxide, and nitrogen oxide emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.
3. To preclude the applicability of 401 KAR 52:020, total source-wide emissions of nitrogen oxides (NO<sub>x</sub>) from all activities in Section B and Section C shall not exceed 90 tons per year based on a consecutive 12-month rolling total. The annual emissions shall be calculated by adding monthly emissions to the previous 11 months' emissions.

### Compliance Demonstration:

Monthly NO<sub>x</sub> emissions shall be calculated using the following formula:

$$\text{Monthly NO}_x \text{ emissions } \left( \frac{\text{tons}}{\text{month}} \right) = (NO_{x01} + NO_{x02} + NO_{x03} + NO_{x04} + NO_{xIA});$$

Where:

- $NO_{x01}$  is the combined NO<sub>x</sub> emissions from all the indirect heat exchangers listed under Emission Unit 01 table on page 2;
- $NO_{x02}$  is the combined NO<sub>x</sub> emissions from all the diesel-fired emergency engines listed under the Emission Unit 02 table on page 5;
- $NO_{x03}$  is the combined NO<sub>x</sub> emissions from all the diesel-fired emergency engines listed under the Emission Unit 03 table on page 11;
- $NO_{x04}$  is the NO<sub>x</sub> emissions from the fire pump engine under Emission Unit 04;
- $NO_{xIA}$  is the combined NO<sub>x</sub> emissions from all the potential NO<sub>x</sub> emitting units listed under **SECTION – C – Insignificant Activities**, specifically all of the propane-fired indirect heat exchangers and natural-gas fired indirect heat exchangers;

For specific emission units the following equation will be used:

$$NO_{x01} \text{ emissions } \left( \frac{\text{tons}}{\text{month}} \right) = \text{Heat Input } \left( \frac{\text{MMscf}}{\text{month}} \right) \times NO_{xEF} \left( \frac{\text{lb}}{\text{MMBtu}} \right) \times \frac{1}{1020} \left( \frac{\text{MMBtu}}{\text{MMscf}} \right) \times \frac{1}{2000} \left( \frac{\text{ton}}{\text{lb}} \right);$$

$$NO_{x02,03, \text{ or } 04} \text{ emissions } \left( \frac{\text{tons}}{\text{month}} \right) = \text{Heat Input } \left( \frac{\text{Mgal}}{\text{month}} \right) \times NO_{xEF} \left( \frac{\text{lb}}{\text{MMBtu}} \right) \times \frac{1}{137.03} \left( \frac{\text{MMBtu}}{\text{Mgal}} \right) \times \frac{1}{2000} \left( \frac{\text{ton}}{\text{lb}} \right);$$

$$NO_{xIA} \text{ emissions } \left( \frac{\text{tons}}{\text{month}} \right) = \sum NO_{x\text{propane}} + \sum NO_{x\text{natural gas}} = \left[ \text{Heat Input}_{\text{propane}} \left( \frac{\text{Mgal}}{\text{month}} \right) \times NO_{xEF} \left( \frac{\text{lb}}{\text{MMBtu}} \right) \times \frac{1}{90.5} \left( \frac{\text{MMBtu}}{\text{Mgal}} \right) \times \frac{1}{2000} \left( \frac{\text{ton}}{\text{lb}} \right) \right] + \left[ \text{Heat Input}_{\text{natural gas}} \left( \frac{\text{MMscf}}{\text{month}} \right) \times NO_{xEF} \left( \frac{\text{lb}}{\text{MMBtu}} \right) \times \frac{1}{1020} \left( \frac{\text{MMBtu}}{\text{MMscf}} \right) \times \frac{1}{2000} \left( \frac{\text{ton}}{\text{lb}} \right) \right];$$

*Heat Input* The sum total of heat input for each individual group (Fuel oil units (Mgal/month), Natural Gas (MMscf/month), propane (Mgal/month));

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

$NO_{xEF}$  Nitrogen oxide emission factor (lb/MMBtu) for the specific fuel (diesel, natural gas, or propane) based on either: AP-42; a previously tested emission factor; or an emission factor based on the particular manufactured specifications.

## **SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS**

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

## SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b-IV-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
  - a. Date, place (as defined in this permit), and time of sampling or measurements;
  - b. Analyses performance dates;
  - c. Company or entity that performed analyses;
  - d. Analytical techniques or methods used;
  - e. Analyses results; and
  - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five (5) years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030, Section 3(1)(f)1a, and Section 1a-7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
3. In accordance with the requirements of 401 KAR 52:030, Section 3(1)f, the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
  - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
  - b. To access and copy any records required by the permit;
  - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

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

5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030, Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1, the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
  - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
  - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken shall be submitted to the Regional Office listed on the front of this permit. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement does not identify a specific time frame for reporting deviations, prompt reporting, as required by Sections 1b-V, 3 and 4 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26 shall be defined as follows:
  - a. For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
  - b. For emissions of any regulated air pollutant, excluding those listed in F.8.a., that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

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

- c. All deviations from permit requirements, including those previously reported, shall be included in the semiannual report required by F.6.
9. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
  - a. Identification of each term or condition;
  - b. Compliance status of each term or condition of the permit;
  - c. Whether compliance was continuous or intermittent;
  - d. The method used for determining the compliance status for the source, currently and over the reporting period.
  - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
  - f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, Florence Regional Office, 8020 Veterans Memorial Drive, Suite 110, Florence, KY 41042.
10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within 30 days of the date the Kentucky Emissions Inventory System (KYEIS) emissions survey is mailed to the permittee. If a KYEIS emissions survey is not mailed to the permittee, then the permittee shall comply with all other emissions reporting requirements in this permit.
11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
  - a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
    - i. The size and location of both the original and replacement units; and
    - ii. Any resulting change in emissions;
  - b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
  - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
  - d. The replacement unit shall comply with all applicable requirements; and

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

- e. The source shall notify Regional office of all shutdowns and start-ups.
- f. Within six (6) months after installing the replacement unit, the owner or operator shall:
  - i. Re-install the original unit and remove or dismantle the replacement unit; or
  - ii. Submit an application to permit the replacement unit as a permanent change.

## SECTION G - GENERAL PROVISIONS

### 1. General Compliance Requirements

- a. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030, Section 3(1)(b), and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a-2 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a-5 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030, Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
  - i. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030, Section 12;
  - ii. 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;
  - iii. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

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

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

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

- e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030, Section 3(1)(c)].
- f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030, Section 7(1)].
- g. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-11 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- h. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- i. All emission limitations and standards contained in this permit shall be enforceable as a practical matter. All emission limitations and standards contained in this permit are enforceable by the U.S. EPA and citizens except for those specifically identified in this permit as state-origin requirements. [Section 1a-12 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- j. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- k. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030, Section 11(3)].
- l. This permit does not convey property rights or exclusive privileges [Section 1a-8 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
- m. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.
- n. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

- o. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.
  - p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
  - q. Pursuant to 401 KAR 52:030, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
    - i. Applicable requirements that are included and specifically identified in this permit; and
    - ii. Non-applicable requirements expressly identified in this permit.
2. Permit Expiration and Reapplication Requirements
- a. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six (6) months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030, Section 12].
  - b. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030, Section 8(2)].
3. Permit Revisions
- a. Minor permit revision procedures specified in 401 KAR 52:030, Section 14(3), may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the State Implementation Plan (SIP) or in applicable requirements and meet the relevant requirements of 401 KAR 52:030, Section 14(2).
  - b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.
4. Construction, Start-Up, and Initial Compliance Demonstration Requirements  
No construction authorized by this permit (F-23-042).

**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**

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

**7. Emergency Provisions**

- a. Pursuant to 401 KAR 52:030, Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
  - i. An emergency occurred and the permittee can identify the cause of the emergency;
  - ii. The permitted facility was at the time being properly operated;
  - iii. 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,
  - iv. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.

**SECTION G - GENERAL PROVISIONS (CONTINUED)**

- v. Notification of the Division does not relieve the source of any other local, state or federal notification requirements.
  - b. Emergency conditions listed in General Provision G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030, Section 23(3)].
  - c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030, Section 23(2)].
8. Ozone depleting substances
- a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
    - i. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
    - ii. 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.
    - iii. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
    - iv. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
    - v. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
    - vi. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
  - b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.
9. Risk Management Provisions
- a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk 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