

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

Draft

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

Permittee Name: Cobb-Vantress, LLC
Mailing Address: 1475 Burkesville Road
Albany, KY 42602

Source Name: Cobb-Vantress Albany Feed Mill
Mailing Address: Same as above

Source Location: Same as above

Permit ID: F-23-023
Agency Interest #: 119204
Activity ID: APE20230002
Review Type: Conditional Major, Operating
Source ID: 21-053-00007

Regional Office: London Regional Office
875 S. Main Street
London, KY 40741
(606) 330-2080

County: Clinton

Application Complete Date: June 16, 2023
Issuance Date:
Expiration Date:

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

TABLE OF CONTENTS

SECTION	ISSUANCE	PAGE
A. PERMIT AUTHORIZATION	Initial	1
B. EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS	Initial	2
C. INSIGNIFICANT ACTIVITIES	Initial	26
D. SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS	Initial	27
E. SOURCE CONTROL EQUIPMENT REQUIREMENTS	Initial	30
F. MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS	Initial	31
G. GENERAL PROVISIONS	Initial	34
H. ALTERNATE OPERATING SCENARIOS	Initial	40
I. COMPLIANCE SCHEDULE	Initial	41

Permit	Permit Type	Activity#	Complete Date	Issuance Date	Summary of Action
F-23-023	Initial	APE20230002	6/16/2023		Initial Operating Permit for a Feed Mill Facility

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

EU 001 - Receiving System

Process ID	Description	Capacity (tons/hr)	Construction Date	Control Device
1	Truck Receiving (Grain and Dry Ingredients)	100	9/25/2013	Baghouse 002C; Process Enclosed
2	Rail Receiving (Grain and Dry Ingredients)	100		

EU	Description	Capacity (tons/hr)	Construction Date	Control Device
004	Dry Ingredient Silo (10)	100	9/25/2013	Baghouse 004C; Process Enclosed
005	Pneumatic Salt Receiving (8)	25	9/25/2013	Baghouse 005C; Process Enclosed
006	Grain Hammer mill (Grain)	30	9/25/2013	Baghouse 006C; Process Enclosed

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations

1. Operating Limitations:

At all times, including periods of start-up, shutdown and malfunction, the permittee 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 cabinet which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. [401 KAR 50:055, Section 2(5)]

2. Emission Limitations:

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

[401 KAR 59:010, Section 3(2)]

- | | |
|--|---------------------|
| 1) For $P \leq 0.5$ ton/hr: | $E = 2.34$ |
| 2) For P from 0.5 ton/hr to 30 ton/hr: | $E = 3.59P^{0.62}$ |
| 3) For $P > 30$ ton/hr: | $E = 17.31P^{0.16}$ |

Where:

E = rate of emission in lb/hr and;

P = process weight rate in tons/hr

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

- b. No person shall 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:

- a. The source is assumed to be in compliance with the PM emission limits, when the control devices are operating and properly maintained. Refer to **4. Specific Monitoring Requirements** and **7. Specific Control Equipment Operating Conditions**.
- b. For compliance with the opacity limitations, refer to **4. Specific Monitoring Requirements** and **5. Specific Recordkeeping Requirements**.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. Install, calibrate, maintain, and operate a pressure drop monitoring device to continuously monitor the differential pressure across the baghouse to ensure that pressure does not drop outside the pressure drop range documented by the manufacturer's specifications or the pressure drop range determined during the most recent performance test. Personnel will monitor the differential pressure reading across the baghouse at least once per shift during all times of operation. [401 KAR 52:030, Section 10]
- b. Following a reading outside of the pressure drop range documented by the manufacturer's specifications or the pressure drop range determined during the most recent performance test: [401 KAR 52:030, Section 10]
 - 1) Maintenance personnel shall inspect the monitoring system, baghouse, and operations immediately; and take correction action as soon as practicable.
 - 2) Upon completed corrective action, the permittee shall ensure pressure drop has returned to normal range.
- c. In lieu of a pressure drop monitoring device, the permittee may submit to the Division, an alternate baghouse performance indicator plan. [401 KAR 52:030, Section 10]
 - 1) The performance plan shall identify and describe the parameters to be monitored or methods the owner or operator will use to ensure proper operation of the baghouse, monitoring frequency of the method, specify records to be retained and a plan of action when the baghouse is not operating as outlined by the plan.
 - 2) The plan shall be submitted to the Division prior to startup of the new, reconstructed, or modified affected facility.
 - 3) The plan shall be revised as needed to reflect any changing conditions at the source. Such revisions shall be dated and submitted to the Division before a source can operate pursuant to these revisions.

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

- d. The permittee shall perform a qualitative visual observation of the opacity of emissions from the outlet of the control device daily while the affected facility is operating. If visible emissions from the control device are observed (not including condensed water in the plume), then the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. All routine and non-routine maintenance activities performed on the corresponding control device shall be recorded. [401 KAR 52:030, Section 10]
- b. Records of pressure drop readings shall be maintained. [401 KAR 52:030, Section 10]
- c. The permittee shall maintain a record of the following for the visual observations required by **4. Specific Monitoring Requirements:** [401 KAR 52:030, Section 10]
 - 1) Result of the daily visual observations;
 - 2) Date (mm/dd/yyyy) of the observation made;
 - 3) Initials of the observer;
 - 4) Any emissions observed (yes/no);
 - 5) Any U.S. EPA Reference Method 9 readings taken; and
 - 6) Corrective actions (if any) including results due to observed emissions.

6. Specific Reporting Requirements:

Refer to **Section F**

7. Specific Control Equipment Operating Conditions:

Refer to **Section E**

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**EU 011 - Micro Bin System**

Process ID	Description	Capacity (tons/hr)	Construction Date	Control Device
1	Micro Bin System (16 Bins)	0.22	9/25/2013	Vents/ Enclosed
2	Micro Dry Ingredients Including Manganese	0.0093		

EU 013 - Mixing (Enclosed System)

Process ID	Description	Capacity (tons/hr)	Construction Date	Control Device
1	Micro Surge Bin	0.22	9/25/2013	Totally Enclosed
2	Mixer	40	9/25/2013	
3	Mixer Surge Bin	40	9/25/2013	

EU 015 - Pellet Handling (Enclosed System)

Process ID	Description	Capacity (tons/hr)	Construction Date	Control Device
1	Pellet Mash Bins (2)	40	9/25/2013	Totally Enclosed
2	Pellet Surge Bin	40	9/25/2013	
3	Pellet Bin Surge Hopper	40	9/25/2013	

EU 017 - Pellet Mill

Process ID	Description	Capacity (tons/hr)	Construction Date	Control Device
1	Pellet Mill and Cooler	40	9/25/2013	Dual Cyclone System 017C
2	Pellet Mill (Additives)	40		Enclosed
3	Manganese	0.0093		Dual Cyclone System 017C

EU	Description	Capacity (tons/hr)	Construction Date	Control Device
019	Finished Feed Silos (10)	40	9/25/2013	Totally Enclosed

EU 020 - Bulk Loadout

Process ID	Description	Capacity (tons/hr)	Construction Date	Control Device
1	Truck Loadout	200	9/25/2013	Baghouse 020C; Partially Enclosed
2	Truck Loadout (Additives)	200		Partially Enclosed

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

Process ID	Description	Capacity (tons/hr)	Construction Date	Control Device
3	Manganese	0.0093		Baghouse 020C; Partially Enclosed

EU 023 - Batching (Enclosed System)

Process ID	Description	Capacity (tons/hr)	Construction Date	Control Device
2	Mash Rework Silos (2)	50	9/25/2013	Totally Enclosed
5	Micro Surge Bin	0.22		
6	Mixer	40		
7	Mixer Surge Bin	40		
8	Pellet Mash Bins (2)	40		
9	Pellet Surge Bin	40		
10	Pellet Bin Surge Hopper	40		
11	Finished Feed Silos	40		

EU 026 – Central Vacuum System

Process ID	Description	Capacity (tons/hr)	Construction Date	Control Device
1	Central Vacuum System (320 cfm)	39.95	1/1/2015	HEPA filter 026C
2	Manganese	39.95		

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations

401 KAR 63:002, Section 2(4)(bbbbb) 40 C.F.R. 63.11619 through 63.11627, Table 1 (Subpart DDDDDDD), National Emission Standards for Hazardous Air Pollutants for Area Sources: Prepared Feeds Manufacturing

STATE-ORIGIN REQUIREMENT

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

1. Operating Limitations:

- a. The permittee must comply with the management practices and standards in 40 CFR 63.11621(a) through (d) at all times. For pelleting operations at prepared feeds manufacturing facilities with an average daily feed production level exceeding 50 tons per day, the permittee must also comply with the requirements in 40 CFR 63.11621(e) at all times. [40 CFR 63.11621]

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

- b. In all areas of the affected source where materials containing chromium or manganese are stored, used, or handled, the permittee shall comply with the management practices in 40 CFR 63.11621(a)(1) and (2): [40 CFR 63.11621(a)]
 - 1) The permittee shall perform housekeeping measures to minimize excess dust. These measures shall include, but not be limited to, the practices specified in 40 CFR 63.11621(a)(1)(i) through (iii): [40 CFR 63.11621(a)(1)]
 - i) The permittee shall use either an industrial vacuum system or manual sweeping to reduce the amount of dust; [40 CFR 63.11621(a)(1)(i)]
 - ii) At least once per month, the permittee shall remove dust from walls, ledges, and equipment using low pressure air or by other means, and then sweep or vacuum the area; [40 CFR 63.11621(a)(1)(ii)]
 - iii) The permittee shall keep exterior doors in the immediate affected areas shut except during normal ingress and egress, as practicable. This does not apply to areas where finished product is stored in closed containers, and no other materials containing chromium or manganese are present. [40 CFR 63.11621(a)(1)(iii)]
 - 2) The permittee shall maintain and operate all process equipment in accordance with manufacturer's specifications and in a manner to minimize dust creation. [40 CFR 63.11621(a)(2)]
- c. The permittee shall store any raw materials containing chromium or manganese in closed containers. [40 CFR 63.11621(b)]
- d. The mixer where materials containing chromium or manganese are added shall be covered at all times when mixing is occurring, except when the materials are being added to the mixer. Materials containing chromium or manganese shall be added to the mixer in a manner that minimizes emissions. [40 CFR 63.11621(c)]
- e. For the bulk loading process where materials containing chromium or manganese are loaded into trucks or railcars, the permittee shall lessen fugitive emissions by reducing the distance between the loadout spout and the vehicle being loaded by either 40 CFR 63.11621(d)(1) or (2). [40 CFR 63.11621(d)]
 - 1) Use a device of any kind at the bulk loadout spout that minimizes the distance to the vehicle being loaded. [40 CFR 63.11621(d)(1)]
 - 2) Use any other means to minimize the distance between the loadout spout and the vehicle being loaded. [40 CFR 63.11621(d)(2)]
- f. For the pelleting operations at new prepared feeds manufacturing facilities with an average daily feed production level exceeding 50 tons per day, the permittee shall capture emissions and route them to a cyclone designed to reduce emissions of particulate matter by 95 percent or greater. The permittee shall also comply with the provisions in 40 CFR 63.11621(e)(1) through (3). [40 CFR 63.11621(e)]
 - 1) The permittee shall demonstrate that the cyclone is designed to reduce emissions of particulate matter by 95 percent or greater using one of the methods specified in 40 CFR 63.11621(e)(1)(i) through (iii). [40 CFR 63.11621(e)(1)]
 - i) Manufacturer specifications. [40 CFR 63.11621(e)(1)(i)]

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

- ii) Certification by a professional engineer or responsible official; or [40 CFR 63.11621(e)(1)(ii)]
- iii) A performance test conducted in accordance with 40 CFR 63.11623. [40 CFR 63.11621(e)(1)(iii)]
- 2) The permittee shall establish an inlet flow rate, inlet velocity, pressure drop, or fan amperage range that represents proper operation of the cyclone in accordance with the applicable requirement in 40 CFR 63.11621(e)(2)(i), (ii), or (iii). [40 CFR 63.11621(e)(2)]
 - i) If the permittee demonstrates the cyclone design efficiency using manufacturer specifications in accordance with 40 CFR 63.11621(e)(1)(i), the inlet flow rate, inlet velocity, pressure drop, or fan amperage range that represents proper operation of the cyclone must be provided by the manufacturer. [40 CFR 63.11621(e)(2)(i)]
 - ii) If the permittee demonstrates the cyclone design efficiency using certification by a professional engineer or responsible official in accordance with 40 CFR 63.11621(e)(1)(ii), this certification must include calculations to establish an inlet flow rate, inlet velocity, pressure drop, or fan amperage range that represents proper operation of the cyclone. [40 CFR 63.11621(e)(2)(ii)]
 - iii) If the permittee demonstrates the cyclone design efficiency using a performance test in accordance with 40 CFR 63.11621(e)(1)(iii), the permittee shall monitor the inlet flow rate, inlet velocity, pressure drop, or fan amperage during the test and establish a range that represents proper operation of the cyclone based on the data obtained during the test. [40 CFR 63.11621(e)(2)(iii)]
- 3) The permittee shall maintain and operate the cyclone in accordance with manufacturer's specifications. If manufacturer's specifications are not available, the permittee shall develop and follow standard maintenance and operating procedures that ensure proper operation of the cyclone. [40 CFR 63.11621(e)(3)]

2. Emission Limitations:

- a. For emissions from a control device or stack the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of the quantity specified in 401 KAR 59:010, Appendix A:
[401 KAR 59:010, Section 3(2)]
 - 1) For $P \leq 0.5$ ton/hr: $E = 2.34$
 - 2) For P from 0.5 ton/hr to 30 ton/hr: $E = 3.59P^{0.62}$
 - 3) For $P > 30$ ton/hr: $E = 17.31P^{0.16}$
 Where:
 E = rate of emission in lb/hr and;
 P = process weight rate in tons/hr
- b. No person shall 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)]

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

- c. No owner or operator shall allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants. [401 KAR 63:020, Section 3]
- d. Refer to **Section D** for source-wide emission limitations to preclude 401 KAR 52:020.

Compliance Demonstration Method:

- a. The source is assumed to be in compliance with the PM emission limits, when the control devices are operating and properly maintained. Refer to **4. Specific Monitoring Requirements**.
- b. For compliance with the opacity limitations, refer to **4. Specific Monitoring Requirements** and **5. Specific Recordkeeping Requirements**.
- c. For compliance with the 401 KAR 63:020 standard pertaining to the source-wide formaldehyde emissions, refer to **Section D**.

3. Testing Requirements:

- a. If the permittee is demonstrating that the cyclone required by 40 CFR 63.11621(e) is designed to reduce emissions of particulate matter by 95 percent or greater by the performance test option in 40 CFR 63.11621(e)(1)(iii), the permittee must conduct a test in accordance with 40 CFR 63.11623(b) and calculate the percent reduction in accordance with 40 CFR 63.11623(c). [40 CFR 63.11623(a)]
- 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:

- a. The permittee shall perform monthly inspections of each device at the loadout end of a bulk loader that reduces fugitive emissions from a bulk loading process to ensure it is in proper working condition. The permittee shall record the results of these inspections in accordance with 40 CFR 63.11624(c)(4). [40 CFR 63.11622(a)]
- b. The permittee shall comply with the inspection and monitoring requirements in 40 CFR 63.11622(b)(1) and (b)(2): [40 CFR 63.11622(b)]
 - 1) The permittee shall perform quarterly inspections of the cyclone for corrosion, erosion, or any other damage that could result in air in-leakage and record the results in accordance with 40 CFR 63.11624(c). [40 CFR 63.11622(b)(1)]
 - 2) The permittee shall monitor inlet flow rate, inlet velocity, pressure drop, or fan amperage at least once per day when the pelleting process is in operation. The permittee shall also record the inlet flow rate, inlet velocity, pressure drop, or fan amperage in accordance with 40 CFR 63.11624(c)(4). [40 CFR 63.11622(b)(2)]

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

- c. The permittee shall perform a qualitative visual observation of the opacity of emissions from the outlet of the control device no less frequently than daily while the affected facility is operating. If visible emissions from the control device are observed (not including condensed water in the plume), then the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records specified in 40 CFR 63.11624(c)(1) through (6) in accordance with 40 CFR 63.11624(c)(7) through (9). [40 CFR 63.11624(c)]
 - 1) As required in 40 CFR 63.10(b)(2)(xiv), the permittee shall keep a copy of each notification that the permittee submitted to comply with 40 CFR 63, Subpart DDDDDDD in accordance with 40 CFR 63.11624(a), and all documentation supporting any Initial Notification or Notification of Compliance Status that the permittee submitted. [40 CFR 63.11624(c)(1)]
 - 2) The permittee shall keep a copy of each Annual Compliance Certification prepared in accordance with 40 CFR 63.11624(b). [40 CFR 63.11624(c)(2)]
 - 3) For each device used to comply with the requirements in 40 CFR 63.11621(d), the permittee shall keep the records of all inspections including the information identified in 40 CFR 63.11624(c)(3)(i) through (iii) of this section. [40 CFR 63.11624(c)(3)]
 - i) The date, place, and time of each inspection; [40 CFR 63.11624(c)(3)(i)]
 - ii) Person performing the inspection; [40 CFR 63.11624(c)(3)(ii)]
 - iii) Results of the inspection, including the date, time, and duration of the corrective action period from the time the inspection indicated a problem to the time of the indication that the device was replaced or restored to operation. [40 CFR 63.11624(c)(3)(iii)]
 - 4) The permittee shall keep the records in 40 CFR 63.11624 (c)(4)(i) through (v). [40 CFR 63.11624(c)(4)]
 - i) If the permittee demonstrates that the cyclone is designed to reduce emission of particulate matter by 95 percent or greater by manufacturer's specifications in accordance with 40 CFR 63.11621(e)(1)(i), the permittee shall keep the records specified in 40 CFR 63.11624(c)(4)(i)(A) through (C). [40 CFR 63.11624(c)(4)(i)]
 - A) Information from the manufacturer regarding the design efficiency of the cyclone, [40 CFR 63.11624(c)(4)(i)(A)]
 - B) The inlet flow rate, inlet velocity, pressure drop, or fan amperage range that represents proper operation of the cyclone, [40 CFR 63.11624(c)(4)(ii)]
 - C) The operation and maintenance procedures to ensure proper operation of the cyclone. [40 CFR 63.11624(c)(4)(iii)]
 - ii) If the permittee demonstrates that the cyclone is designed to reduce emissions of particulate matter by 95 percent or greater by certification by a professional engineer in accordance with 40 CFR 63.11621(e)(1)(ii), the permittee shall keep the records specified in 40 CFR 63.11624(c)(4)(ii)(A) through (C). [40 CFR 63.11624(c)(4)(ii)]

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

- A) Certification regarding the design efficiency of the cyclone, along with supporting information, [40 CFR 63.11624(c)(4)(ii)(A)]
 - B) The inlet flow rate, inlet velocity, pressure drop, or fan amperage range that represents proper operation of the cyclone, [40 CFR 63.11624(c)(4)(ii)(B)]
 - C) The standard maintenance and operating procedures that ensure proper operation of the cyclone. [40 CFR 63.11624(c)(4)(ii)(C)]
 - iii) If the permittee demonstrates that the cyclone is designed to reduce emissions of particulate matter by 95 percent or greater by a performance in accordance with 40 CFR 63.11621(e)(1)(iii), the permittee shall keep the records specified in 40 CFR 63.11624(c)(4)(iii)(A) through (C). [40 CFR 63.11624(c)(4)(iii)]
 - A) Results of the testing conducted in accordance with 40 CFR 63.11623, [40 CFR 63.11624(c)(4)(iii)(A)]
 - B) The inlet flow rate, inlet velocity, pressure drop, or fan amperage range that represents proper operation of the cyclone, [40 CFR 63.11624(c)(4)(iii)(B)]
 - C) The standard maintenance and operating procedures that ensure proper operation of the cyclone. [40 CFR 63.11624(c)(4)(iii)(C)]
 - iv) Records of all quarterly inspections including the information identified in 40 CFR 63.11624(c)(4)(iv)(A) through (C). [40 CFR 63.11624(c)(4)(iv)]
 - A) The date, place, and time of each inspection; [40 CFR 63.11624(c)(4)(iv)(A)]
 - B) Person performing the inspection; [40 CFR 63.11624(c)(4)(iv)(B)]
 - C) Results of the inspection, including the date, time, and duration of the corrective action period from the time the inspection indicated a problem to the time of the indication that the cyclone was restored to proper operation. [40 CFR 63.11624(c)(4)(iv)(C)]
 - v) Records of the daily inlet flow rate, inlet velocity, pressure drop, or fan amperage measurements, along with the date, time, and duration of the correction action period from the time the monitoring indicated a problem to the time of the indication that the cyclone was restored to proper operation. [40 CFR 63.11624(c)(4)(v)]
 - 5) If an affected source that is not subject to a requirement in 40 CFR 63.11621(e) to install and operate a cyclone to control emissions from pelleting operations because the average daily feed production level is 50 tons/day or less, feed production records to enable the determination of the average daily feed production level. [40 CFR 63.11624(c)(6)]
 - 6) The records must be in a form suitable and readily available for expeditious review, according to 40 CFR 63.10(b)(1). [40 CFR 63.11624(c)(7)]
 - 7) As specified in 40 CFR 63.10(b)(1), the permittee shall keep each record for 5 years following the date of each recorded action. [40 CFR 63.11624(c)(8)]
 - 8) The permittee shall keep each record onsite for at least 2 years after the date of each recorded action according to 40 CFR 63.10(b)(1). The permittee may keep the records offsite for the remaining 3 years. [40 CFR 63.11624(c)(9)]
- b. If the permittee no longer uses materials that contain manganese or chromium, the permittee shall submit a Notification in accordance with 40 CFR 63.11619(c) which includes the information specified in 40 CFR 63.11624(d)(1) and (2). [40 CFR 63.11624(d)]

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

- 1) The company's name and address. [40 CFR 63.11624(d)(1)]
 - 2) A statement by a responsible official indicating that the facility no longer uses materials that contain chromium or manganese. This statement should also include an effective date for the termination of use of materials that contain chromium or manganese, and the responsible official's name, title, phone number, e-mail address and signature. [40 CFR 63.11624(d)(2)]
- c. All routine and non-routine maintenance activities performed on the corresponding control device shall be recorded. [401 KAR 52:030, Section 10]
- d. The permittee shall maintain a record of the following for the visual observations required by **4. Specific Monitoring Requirements**: [401 KAR 52:030, Section 10]
- 1) Result of the daily visual observations;
 - 2) Date (mm/dd/yyyy) of the observation made;
 - 3) Initials of the observer;
 - 4) Any emissions observed (yes/no);
 - 5) Any U.S. EPA Reference Method 9 readings taken; and
 - 6) Corrective actions (if any) including results due to observed emissions.
- e. The permittee shall maintain records of the following for each emission unit: [401 KAR 52:030, Section 10]
- 1) Monthly and 12-month rolling individual HAP, combined HAP, and VOC emissions from each emission unit in tons/year;
 - 2) Monthly process weight;
 - 3) Monthly hours of operation.

6. Specific Reporting Requirements:

- a. The permittee shall, by March 1 of each year, prepare an annual compliance certification report for the previous calendar year containing the information specified in 40 CFR 63.11624(b)(1) through (4). The permittee shall submit the report if the permittee had any instance described in 40 CFR 63.11624(b)(3) or (4). [40 CFR 63.11624(b)]
- 1) The company's name and address. [40 CFR 63.11624(b)(1)]
 - 2) A statement by a responsible official with that official's name, title, phone number, e-mail address and signature, certifying the truth, accuracy, and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of 40 CFR 63, Subpart DDDDDDD. [40 CFR 63.11624(b)(2)]
 - 3) If the source is not in compliance, include a description of deviations from the applicable requirements, the time periods during which the deviations occurred and the corrective actions taken. [40 CFR 63.11624(b)(3)]
 - 4) The permittee must identify all instances when the daily inlet flow rate, inlet velocity, pressure drop, or fan amperage is outside the range that constitutes proper operation of the cyclone submitted as part of the Notification of Compliance Status. In these instances, include the time periods when this occurred and the corrective actions taken. [40 CFR 63.11624(b)(4)]

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

5) Notification if the average daily feed production level for the previous year was 50 tons/day or less and that the permittee is no longer complying with 40 CFR 63.11621(e). [40 CFR 63.11624(b)(7)]

b. The permittee shall report the source-wide monthly and 12 month rolling total individual HAP, combined HAP, and VOC emissions, in tons, as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]

c. Refer to **Section F**

7. Specific Control Equipment Operating Conditions:

Refer to **Section E**

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

EU*	Description	Capacity (tons/hr)	Construction Date
021	Paved Haul Road and Yard Area	200	9/25/2013

***Controlled by Dust Suppression**

APPLICABLE REGULATIONS:

401 KAR 63:010, Fugitive Emissions

1. Operating Limitations:

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

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

- c. At all times while in motion, open bodied trucks, operating outside company property, transporting materials likely to become airborne shall be covered. [401 KAR 63:010, Section 4(1)]

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

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

2. Emission Limitations:

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

- a. More than five (5) minutes of emission time during any sixty (60) minute observation period; or [401 KAR 63:010, Section 3(2)(a)]
- b. More than twenty (20) minutes of emission time during any twenty-four (24) hour period. [401 KAR 63:010, Section 3(2)(b)]

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. The permittee shall monitor the reasonable precautions taken to prevent particulate matter from becoming airborne on a daily basis. [401 KAR 52:030, Section 10]
- b. If fugitive dust emissions beyond the lot line of the property are observed, the permittee shall conduct U.S. EPA Reference Method 22 (visual determination of fugitive emissions) observations per Appendix A of 40 C.F.R. Part 60. In lieu of conducting U.S. EPA Reference Method 22, the permittee shall immediately perform a corrective action which results in no visible fugitive dust emissions beyond the lot line of the property. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain a log of the reasonable precautions taken to prevent particulate matter from becoming airborne, on a daily basis. Notation of the operating status, downtime, or relevant weather conditions are acceptable for entry to the log. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain a log of the following: [401 KAR 52:030, Section 10]
 - 1) Any U.S. EPA Reference Method 22 performed and field records identified in U.S. EPA Reference Method 22.
 - 2) Any corrective action taken and the results.

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

6. Specific Reporting Requirements:

Refer to **Section F**

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

EU	Description	Capacity (MMBtu/hr)	Construction Date
022	Cleaver Brooks Boiler (250 HP) (Primary Fuel: Natural Gas, Backup Fuel: Fuel Oil No. 2)	10.159	9/25/2013

APPLICABLE REGULATIONS:

401 KAR 59:015, New indirect heat exchangers

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

1. Operating Limitations:

- a. To ensure EU 022 meets the definition of “gas-fired boiler” in 40 CFR 63.11237 at all times, the permittee shall only burn liquid fuel during periods of gas curtailment, gas supply interruption, startups, or periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training of liquid fuel shall not exceed a combined total of 48 hours during any calendar year. For the purposes of this condition, the following definitions, found in 40 CFR 63.11237, shall apply: [40 CFR 63.11195(e)]
 - 1) *Startup* means:
 - i) Either the first-ever firing of fuel in a boiler for the purpose of supplying useful thermal energy (such as steam or hot water) for heating and/or producing electricity, or for any other purpose, or the firing of fuel in a boiler after a shutdown event for any purpose. Startup ends when any of the useful thermal energy (such as steam or hot water) from the boiler is supplied for heating and/or producing electricity, or for any other purpose, or
 - ii) The period in which operation of a boiler is initiated for any purpose. Startup begins with either the first-ever firing of fuel in a boiler for the purpose of supplying useful thermal energy (such as steam or hot water) for heating, cooling or process purposes or producing electricity, or the firing of fuel in a boiler for any purpose after a shutdown event. Startup ends four hours after when the boiler supplies useful thermal energy (such as steam or hot water) for heating, cooling, or process purposes or generates electricity, whichever is earlier.
 - 2) *Shutdown* means the period in which cessation of operation of a boiler is initiated for any purpose. Shutdown begins when the boiler no longer supplies useful thermal energy (such as steam or hot water) for heating, cooling, or process purposes or generates electricity, or when no fuel is being fed to the boiler, whichever is earlier. Shutdown ends when the boiler no longer supplies useful thermal energy (such as steam or hot water) for heating, cooling, or process purposes or generates electricity, and no fuel is being combusted in the boiler.
 - 3) *Useful thermal energy* means energy (i.e., steam or hot water) that meets the minimum operating temperature, flow, and/or pressure required by an energy use system that uses energy provided by the affected boiler.

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

- 4) *Energy use system*
 - i) Includes the following systems located on the site of the affected boiler that use energy provided by the boiler:
 - A) Process heating; compressed air systems; machine drive (motors, pumps, fans); process cooling; facility heating, ventilation, and air conditioning systems; hot water systems; building envelop; and lighting; or
 - B) Other systems that use steam, hot water, process heat, or electricity, provided by the affected boiler.
 - ii) Energy use systems are only those systems using energy clearly produced by affected boilers.
- b. During a startup period or a shutdown period, the permittee shall comply with the work practice standards established in this section. [401 KAR 59:015, Section 7(1)]
 - 1) The permittee shall comply with 401 KAR 50:055, Section 2(5); [401 KAR 59:015, Section 7(1)(a)]
 - 2) The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility; [401 KAR 59:015, Section 7(1)(b)]
 - 3) All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods; [401 KAR 59:015, Section 7(1)(c)]
 - 4) The actions, including duration of the startup period, of the permittee of during startup periods and shutdown periods, shall be documented in signed, contemporaneous logs or other relevant evidence; [401 KAR 59:015, Section 7(1)(d)]
 - 5) Startups and shutdowns shall be conducted according to either: [401 KAR 59:015, Section 7(1)(e)]
 - i) The manufacturer's recommended procedures; 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. Emissions Limitations:

- a. The permittee shall not cause emissions of particulate matter (PM) in excess of 0.56 lb/MMBtu actual heat input. [401 KAR 59:015, Section 4(1)]
- b. The permittee shall not cause emissions of particulate matter in excess of 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
 - 1) A maximum of 40 percent opacity shall be allowed for a maximum of 6 consecutive minutes in any 60 minutes during fire box cleaning or soot blowing; and [401 KAR 59:015, Section 4(2)(b)]

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

- 2) For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 4(2)(c)]
- c. The permittee shall not cause emissions of gases that contain sulfur dioxide (SO₂) in excess of 2.98 lb/MMBtu actual heat input. [401 KAR 59:015, Section 5(1)]
- d. When burning Fuel Oil No. 2, SO₂ emissions shall not exceed 0.50 lb/MMBtu (215 ng/J); or, as an alternative, the permittee shall not combust liquid fuel that contains greater than 0.5 weight percent sulfur. The SO₂ standard under 40 CFR 60.42c applies at all times, including periods of startup, shutdown, and malfunction. [40 CFR 60.42c(d) and (i)]
- e. Refer to **Section D** for source-wide emission limitations to preclude 401 KAR 52:020.

Compliance Demonstration Method:

- a. Compliance with the 401 KAR 59:015 emission standards for PM and SO₂ is assumed while burning natural gas or Fuel Oil No. 2. [401 KAR 50:045, Section 4(3)(c)1.]
- b. To demonstrate compliance with the 401 KAR 59:015 opacity standard when burning Fuel Oil No. 2, refer to **4. Specific Monitoring Requirements b**. When burning natural gas, compliance with the 401 KAR 59:015 opacity standard is assumed.
- c. Compliance with the Subpart Dc emission standard for SO₂ limit when burning Fuel Oil No. 2 shall be determined based on a certification from the fuel supplier, as described under 40 CFR 60.48c(f). [40 CFR 60.42c(h)(1)]

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. The permittee shall monitor the amount of natural gas combusted, in MMscf, and Fuel Oil No. 2 combusted, in gallons, on a monthly basis. [401 KAR 52:030, Section 10]
- b. When burning fuel oil, the permittee shall perform a qualitative visual observation of the opacity of emissions from the stack daily while the affected facility is operating. If visible emissions from the control device are observed (not including condensed water in the plume), then the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**5. Specific Recordkeeping Requirements:**

- a. The permittee shall maintain records of the hours of operation. [40 CFR 60.48c(g)(2) and 401 KAR 52:030, Section 10]
- b. The permittee shall keep records of the manufacturer's recommended procedures for startup and shutdown, any instance in which the recommended procedures were not followed, and any corrective action taken. [401 KAR 52:030, Section 10]
- c. The permittee shall maintain records of the basis for Fuel Oil No. 2 being burned as according to **1. Operating Limitations a.** and the number of hours liquid fuel is burned on a monthly basis. [401 KAR 52:030, Section 10]
- d. For startups on liquid fuel, the permittee shall maintain records of the following: [401 KAR 52:030, Section 10]
 - 1) The time startup begins;
 - 2) The time the fuel switch from liquid to gas is completed;
 - 3) The time that useful thermal energy is supplied by the boiler; and
 - 4) The time the definition of "startup" pursuant to 40 CFR 63.11237 is being followed.
- e. The permittee shall maintain records of fuel supplier certification for distillate oil that includes the following information: [40 CFR 60.48c(f)(1)]
 - 1) The name of the oil supplier; [40 CFR 60.48c(f)(1)(i)]
 - 2) A statement from the oil supplier that the oil complies with the specification under the definition of distillate oil in 40 CFR 60.41c; and [40 CFR 60.48c(f)(1)(ii)]
 - 3) The sulfur content or maximum sulfur content of the oil. [40 CFR 60.48c(f)(1)(iii)]
- f. Except as provided under 40 CFR 60.48c(g)(2) and (g)(3), the permittee of each affected facility shall record and maintain records of the amount of each fuel combusted during each operating day. [40 CFR 60.48c(g)(1)]
 - 1) As an alternative to meeting the requirements of 40 CFR 60.48c(g)(1), the permittee of an affected facility that combusts only natural gas, fuels using fuel certification in 40 CFR 60.48c(f) to demonstrate compliance with the SO₂ standard, or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month. [40 CFR 60.48c(g)(2)]
- g. The permittee shall maintain a record of the following for the visual observations required by **4. Specific Monitoring Requirements:** [401 KAR 52:030, Section 10]
 - 1) Result of the daily visual observations;
 - 2) Date (mm/dd/yyyy) of the observation made;
 - 3) Initials of the observer;
 - 4) Any emissions observed (yes/no);
 - 5) Any U.S. EPA Reference Method 9 readings taken; and
 - 6) Corrective actions (if any) including results due to observed emissions.

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

- h. The permittee shall maintain records of the monthly and 12-month rolling individual HAP, combined HAP, and VOC emissions in tons. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

- a. The permittee of each affected facility subject to the fuel oil sulfur limits under 40 CFR 60.42c shall submit reports to the Administrator. [40 CFR 60.48c(d)]
- b. The permittee of each affected facility subject to the fuel oil sulfur limits under 40 CFR 60.42c shall keep records and submit reports as required under 40 CFR 60.48c(d), including the following information, as applicable.
 - 1) Calendar dates covered in the reporting period. [40 CFR 60.48c(e)(1)]
 - 2) If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under 40 CFR 60.48c(f)(1). In addition to records of fuel supplier certifications, the report shall include a certified statement signed by the permittee of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period. [40 CFR 60.48c(e)(11)]
- c. The reporting period for the reports required under 40 CFR 60, Subpart Dc is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period. [40 CFR 60.48c(j)]
- d. The permittee shall report the source-wide monthly and 12 month rolling total individual HAP, combined HAP, and VOC emissions, in tons, as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]
- e. Refer to **Section F**

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

Emergency Generator

EU	Description	Capacity (MMscf/hr)	Construction Date
24	228 HP Emergency Generator (4 Cycle Lean Burn, 0.15 MW)	0.0075	9/25/2015

APPLICABLE REGULATIONS:

401 KAR 60:005, Section 2(2)(eeee) 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 63 by meeting the requirements of 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under 40 CFR 63. [40 CFR 63.6590(c)(1)]
- b. The owners and operators of Stationary Spark Ignition (SI) Internal Combustion Engines (ICE) shall 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]
- c. The permittee must 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 63.4243(d)]
 - 1) There is no time limit on the use of emergency stationary ICE in emergency situations. [40 CFR 63.4243(d)(1)]
 - 2) The permittee may operate emergency stationary ICE for the purpose specified in 40 CFR 63.4243(d)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by in 40 CFR 63.4243(d)(3) counts as part of the 100 hours per calendar year allowed by 40 CFR 63.4243(d)(2). [40 CFR 63.4243(d)(2)]
 - i) 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

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

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 63.4243(d)(2)(i)]

- 3) 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 63.4243(d)(2). Except as provided in 40 CFR 63.4243(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. [40 CFR 63.4243(d)(3)]
 - i) 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 63.4243(d)(3)(i)]
 - A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator; [40 CFR 63.4243(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 63.4243(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 63.4243(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 63.4243(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 63.4243(d)(3)(i)(E)]

2. Emissions Limitations:

- a. The permittee shall comply with the emission standards in the table below [40 CFR 60.4233(e) referencing Table 1 to 40 CFR 60, Subpart JJJJ].

EU	NO _x g/HP-hr (ppmvd @ 15% O ₂)	CO g/HP-hr (ppmvd @ 15% O ₂)	VOC g/HP-hr (ppmvd @ 15% O ₂)
24	2.0 (160)	4.0 (540)	1.0 (86)

- b. Refer to **Section D** for source-wide emission limitations to preclude 401 KAR 52:020.

Compliance Demonstration Method:

- a. The permittee must demonstrate compliance according to one of the methods specified in 40 CFR 60.4243(b)(1) and (2). [40 CFR 60.4243(b)]

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

- 1) Purchasing an engine certified according to the 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)]
- 2) Purchasing a non-certified engine and demonstrating compliance according to the requirements specified in 40 CFR 60.4244, as applicable, and according to 40 CFR 60.4243(b)(2)(i) and (ii). [40 CFR 60.4243(b)(2)]
 - i) The permittee must keep a maintenance plan and records 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)(i)]

3. Testing Requirements:

- a. If the permittee purchased a non-certified engine or does not operate and maintain the certified stationary SI ICE and control device according to the manufacturer's written emission-related instructions, an initial performance test must be conducted as indicated in 40 CFR 60.4243, but subsequent performance testing is not required unless the stationary engine undergoes rebuild, major repair or maintenance. Engine rebuilding means to overhaul an engine or to otherwise perform extensive service on the engine (or on a portion of the engine or engine system). For the purpose of 40 CFR 63.4243(f), perform extensive service means to disassemble the engine (or portion of the engine or engine system), inspect and/or replace many of the parts, and reassemble the engine (or portion of the engine or engine system) in such a manner that significantly increases the service life of the resultant engine. [40 CFR 60.4243(f)]
- 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:

- a. The permittee must install a non-resettable hour meter prior to the startup of the engine. [40 CFR 60.4237]
- b. The permittee shall monitor the hours of operation and the amount of natural gas consumed by the engine on a monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall keep records of the information in 40 CFR 60.4245(a)(1) through (4): [40 CFR 60.4245(a)]
 - 1) All notifications submitted to comply with 40 CFR 60, Subpart JJJJ and all documentation supporting any notification. [40 CFR 60.4245(a)(1)]
 - 2) Maintenance conducted on the engine. [40 CFR 60.4245(a)(2)]

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

- 3) 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. [40 CFR 60.4245(a)(3)]
 - 4) 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. [40 CFR 60.4245(a)(4)]
- b. The permittee shall compile and maintain records of the hours of operation of each engine and the amount of natural gas consumed by the generator on a monthly basis. [401 KAR 52:030, Section 10]
 - c. The permittee shall maintain records of the manufacturer's certified emissions certificate, manufacturer's written operating instructions, and any procedures developed by the owner or operator that are approved by the engine manufacturer, over the entire life of the engine. [401 KAR 52:030, Section 10]
 - d. The permittee shall maintain records of the monthly and 12-month rolling individual HAP, combined HAP, and VOC emissions in tons. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

- a. If the emergency stationary SI ICE operates for the purpose specified in 40 CFR 60.4243(d)(3)(i), the permittee must submit an annual report according to the requirements in 40 CFR 60.4243(e)(1) through (3). [40 CFR 60.4245(e)]
- b. The permittee shall report the source-wide monthly and 12 month rolling total individual HAP, combined HAP, and VOC emissions, in tons, as part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]
- c. Refer to **Section F**

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. Alimet Tank (Enclosed)	None
2. Betaine Tank	None
3. Soybean Oil Tank (Enclosed)	None
4. Natural Gas Direct Fired Heater (4 MMBtu/hr)	401 KAR 59:010; 401 KAR 63:020
5. Diesel Tank (1,000 Gallons)	None
6. Grain Silos (Enclosed)	401 KAR 59:010
7. Ground Corn Silos (Enclosed System)	401 KAR 59:010
8. Major Ingredient Scale (Enclosed System)	401 KAR 59:010
9. Minor Ingredient Scale (Enclosed System)	401 KAR 59:010
10. Liquid Storage Tank (4,400 Gallons) (EU 025)	401 KAR 63:020

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the Cabinet Provisions and Procedures for Issuing 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. PM, Opacity, SO₂, VOC, Formaldehyde, and Methanol 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. Source-wide emissions of Formaldehyde shall not exceed 4.52 tons during any consecutive 12 month period. [401 KAR 63:020]

Compliance Demonstration Method:

- a. Formaldehyde emissions must be routed through the new stack for EU 017 at a height no less than 177 feet above ground level.
 - b. The permittee shall calculate the source-wide Formaldehyde emissions each month in tons and add the total to the previous eleven months emissions to determine the 12-month rolling emission total for comparison to the limit above.
4. Source-wide emissions of VOC shall not exceed 90 tons during any consecutive 12 month period. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

The permittee shall determine source-wide VOC emissions by calculating the sum of VOC emissions from all units listed in the permit that emit VOC, including insignificant activities. Source-wide emissions shall be calculated on a monthly basis and added to the previous eleven months emissions to get a total of actual emissions for each consecutive 12 month period. For these calculations, the following equations shall be used to calculate the total VOC emissions for comparison to the limit above:

$$M_{VOCj} = \sum_{i=1}^n \frac{P_{ij} \times EF_{VOCi}}{2000}$$

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

Where:

j = Month;

M_{VOCj} = Monthly source-wide VOC emissions for month j , in tons;

i = Emission unit;

n = Total number of VOC emitting emission units;

P_{ij} = Production rate for emission unit i during month j , in SCC Units;

EF_{VOCi} = VOC emission factor for emission unit i from KYEIS, Division approved stack test, or as approved by the Division; lb/SCC Units.

$$T_{VOC} = \sum_{j=1}^{12} M_{VOCj}$$

Where:

T_{VOC} = Total source-wide VOC emissions, in tons/year.

5. Source-wide emissions of any single HAP shall not exceed 9 tons during any consecutive 12 month period. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

The permittee shall determine source-wide individual HAP emissions by calculating the sum of the individual HAP emissions from all units listed in the permit that emit HAPs, including insignificant activities. Source-wide emissions shall be calculated on a monthly basis and added to the previous eleven months emissions to get a total of actual emissions for each consecutive 12 month period. For these calculations, the following equations shall be used to calculate the total individual HAP emissions for comparison to the limit above:

$$M_{HAPj} = \sum_{i=1}^n \frac{P_{ij} \times EF_{HAPi}}{2000}$$

Where:

j = Month;

M_{HAPj} = Monthly source-wide individual HAP emissions for month j , in tons;

i = Emission unit;

n = Total number of HAP emitting emission units;

P_{ij} = Production rate for emission unit i during month j , in SCC Units;

EF_{HAPi} = individual HAP emission factor for emission unit i from KYEIS, Division approved stack test, or as approved by the Division; lb/SCC Units.

$$T_{HAP} = \sum_{j=1}^{12} M_{HAPj}$$

Where:

T_{HAP} = Total source-wide individual HAP emissions, in tons/year.

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

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

Compliance Demonstration Method:

The permittee shall determine source-wide combined HAP emissions by calculating the sum of the combined HAP emissions from all units listed in the permit that emit HAPs, including insignificant activities. Source-wide emissions shall be calculated on a monthly basis and added to the previous eleven months emissions to get a total of actual emissions for each consecutive 12 month period. For these calculations, the following equations shall be used to calculate the total combined HAP emissions for comparison to the limit above:

$$C_{HAP} = \sum_{x=1}^y T_{HAP_x}$$

Where:

C_{HAP} = Total source-wide combined HAP emissions, in tons/year;

x = Individual HAP;

y = Total number of individual HAPs;

T_{HAP_x} = Total source-wide emissions for individual HAP x as determined above, in tons/year.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

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

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b-IV-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place (as defined in this permit), and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five (5) years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030, Section 3(1)(f)1a, and Section 1a-7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].
3. In accordance with the requirements of 401 KAR 52:030, Section 3(1)f, the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].

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

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030, Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1, the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken shall be submitted to the Regional Office listed on the front of this permit. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement does not identify a specific time frame for reporting deviations, prompt reporting, as required by Sections 1b-V, 3 and 4 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26 shall be defined as follows:
 - a. For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
 - b. For emissions of any regulated air pollutant, excluding those listed in F.8.a., that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
 - c. All deviations from permit requirements, including those previously reported, shall be included in the semiannual report required by F.6.
9. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
 - a. Identification of each term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.

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

- e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
 - f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, Owensboro Regional Office, 3032 Alvey Park Dr. W., Suite 700, Owensboro, KY 42303.
10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within 30 days of the date the Kentucky Emissions Inventory System (KYEIS) emissions survey is mailed to the permittee. If a KYEIS emissions survey is not mailed to the permittee, then the permittee shall comply with all other emissions reporting requirements in this permit.
11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - 1) The size and location of both the original and replacement units; and
 - 2) Any resulting change in emissions;
 - b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
 - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
 - d. The replacement unit shall comply with all applicable requirements; and
 - e. The source shall notify Regional office of all shutdowns and start-ups.
 - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
 - 1) Re-install the original unit and remove or dismantle the replacement unit; or
 - 2) Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

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

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

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

- o. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.
- p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
- q. Pursuant to 401 KAR 52:030, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
 - 1) Applicable requirements that are included and specifically identified in this permit; and
 - 2) Non-applicable requirements expressly identified in this permit.

2. Permit Expiration and Reapplication Requirements

- a. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six (6) months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030, Section 12].
- b. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030, Section 8(2)].

3. Permit Revisions

- a. Minor permit revision procedures specified in 401 KAR 52:030, Section 14(3), may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the State Implementation Plan (SIP) or in applicable requirements and meet the relevant requirements of 401 KAR 52:030, Section 14(2).
- b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

SECTION G - GENERAL PROVISIONS (CONTINUED)**4. Construction, Start-Up, and Initial Compliance Demonstration Requirements**

No construction is authorized by this permit (F-23-023).

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.

7. Emergency Provisions

- a. Pursuant to 401 KAR 52:030, Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - 1) An emergency occurred and the permittee can identify the cause of the emergency;
 - 2) The permitted facility was at the time being properly operated;
 - 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,

SECTION G - GENERAL PROVISIONS (CONTINUED)

- 4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
 - 5) Notification of the Division does not relieve the source of any other local, state or federal notification requirements.
 - b. Emergency conditions listed in General Provision G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030, Section 23(3)].
 - c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030, Section 23(2)].
8. Ozone depleting substances
- a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - 1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - 2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - 3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - 4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - 5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - 6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
 - b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.
9. Risk Management Provisions
- a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk 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.

SECTION G - GENERAL PROVISIONS (CONTINUED)

- 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