

**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: Schneider Electric USA, Inc.
Mailing Address: 1601 Mercer Road, Lexington, KY 40511

Source Name: Schneider Electric USA, Inc.
Mailing Address: 1601 Mercer Road, Lexington, KY 40511

Source Location: 1601 Mercer Rd

Permit ID: F-23-047
Agency Interest #: 1098
Activity ID: APE20230001
Review Type: Conditional Major, Operating
Source ID: 21-067-00041

Regional Office: Frankfort Regional Office
300 Sower Boulevard, 1st Floor
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**Application
Complete Date:** October 18, 2023
Issuance Date:
Expiration Date:

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

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Permit	Permit Type	Activity#	Complete Date	Issuance Date	Summary of Action
F-23-047	Renewal	APE20230001	10/18/2023		Renewal Operation Permit

SECTION A - PERMIT AUTHORIZATION

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

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, 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 Point 01 (EU 42) Boiler

Description:

Cleaver Brooks CBLE 500 HP, US15-B105 Boiler #5
Rated Capacity: 20.4 MMBTU/hr fuel input
Fuel: Natural Gas
Date Installed: March 2006

Emission Point 02 (EU 47) Boiler

Description:

Cleaver Brooks CBLE 500 HP, US15-B106 Boiler #6
Rated Capacity: 20.4 MMBTU/hr fuel input
Fuel: Natural Gas
Date Installed: March 2006

APPLICABLE REGULATIONS:

401 KAR 59:015, New indirect heat exchangers

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

STATE-ORIGIN REQUIREMENTS:

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

1. Operating Limitations:

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

- a. The permittee shall comply with 401 KAR 50:055, Section 2(5); [401 KAR 59:015, Section 7(1)(a)]
- b. The frequency and duration of startup periods or shutdown periods shall be minimized by the affected facility; [401 KAR 59:015, Section 7(1)(b)]
- c. All reasonable steps shall be taken by the permittee to minimize the impact of emissions on ambient air quality from the affected facility during startup periods and shutdown periods; [401 KAR 59:015, Section 7(1)(c)]
- d. The actions, including duration of the startup period, of the permittee of each affected facility during startup periods and shutdown periods, shall be documented by 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)]

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

- (1) The manufacturer's recommended procedures; or [401 KAR 59:015, Section 7(1)(e)(1.)]
- (2) Recommended procedures for a unit of similar design, for which manufacturer's recommended procedures are available, as approved by the Cabinet based on documentation provided by the permittee of the affected facility; [401 KAR 59:015, Section 7(1)(e)(2.)]

Compliance Demonstration Method:

Refer to **5. Specific Recordkeeping Requirements.**

2. Emission Limitations:

- a. Except as established in 401 KAR 59:015 Section 7, an affected facility shall not cause emissions of particulate matter in excess of 0.40 lb/MMBTU actual heat input. [401 KAR 59:015 Section 4(1)]
- b. Except as established in 401 KAR 59:015 Section 7, an affected facility shall not cause emissions of particulate matter in excess of twenty (20) percent opacity, except: [401 KAR 59:015 Section 4(2)]
 - (1) A maximum of forty (40) percent opacity shall be allowed for a maximum of six (6) consecutive minutes in any sixty (60) consecutive minutes during fire box cleaning or soot blowing; and [401 KAR 59:015, Section 4(2)(b)]
 - (2) For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 4(2)(c)]
- c. Except as established in 401 KAR 59:015 Section 7, an affected facility shall not cause emissions of gases that contain sulfur dioxide in excess of 1.68 lb/MMBTU actual heat input. [401 KAR 59:015, Section 5(1)(c)(2.)]

Compliance Demonstration Method:

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

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

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

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

e. Refer to Section D for the source-wide VOC emission limitations.

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the Cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.

4. Specific Monitoring Requirements:

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

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

5. Specific Recordkeeping Requirements:

a. 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 may elect to record and maintain records of the amount of each fuel combusted during each calendar month. [40 CFR 60.48c(g)(2)]

(2) As an alternative to meeting the requirements of 40 CFR 60.48c(g)(1), the permittee of an affected facility or multiple affected facilities located on a contiguous property unit where the only fuels combusted in any steam generating unit (including steam generating units not subject to this subpart) at that property are natural gas may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month. [40 CFR 60.48c(g)(3)]

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 52:020, Section 10]

c. At the end of each month, the permittee shall calculate VOC emissions according to Section D, and every month, a new 12-month rolling total for VOC emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

Refer to Section F.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Point 03 (EU 68) Electrodeposition Coating Operation****Description:**

E-Coat of a metal circuit breaker enclosures. Consists of a nine-state pretreatment system, a 20,000 gallon E-Coat tank, and a two-stage post-rinse and bake oven containing two low NO_x natural gas burners rated at 2.5 MMBTU/hr each.

Capacity: 296 square feet material coated per minute

Date Installed: 1978

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations

STATE-ORIGIN REQUIREMENTS:

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

1. Operating Limitations:

None.

2. Emission Limitations:

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

Compliance Demonstration Method:

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

- b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 lb/hr. [401 KAR 59:010, Section 3(2)]

Compliance Demonstration Method:

The source is assumed to be in compliance when the emission points are operated and properly maintained according to the manufacturer's specifications and recommendations.

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

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

Compliance Demonstration Method:

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

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the Cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.

4. Specific Monitoring Requirements:

- a. The permittee shall perform a qualitative visual observation of the opacity of emissions at each stack no less than weekly while the affected facility is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]
- b. The permittee shall monitor the amount of natural gas combusted, in MMscf, on a monthly basis. [401 KAR 52:030, Section 10]
- c. The permittee shall monitor the 12-month rolling total VOC emissions monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain a log of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements** including the date, time, initials of observer, whether any emissions were observed (yes/no), and any U.S. EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain monthly records of the amount of natural gas combusted, in MMscf. [401 KAR 52:030, Section 10]
- c. The permittee shall maintain monthly records all materials used containing VOC including the product type, amount used and the weight percentages for VOC. [401 KAR 52:030, Section 10]
- d. At the end of each month, the permittee shall calculate VOC emissions according to Section D, and every month, a new 12-month rolling total for VOC emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

- a. The permittee shall submit a copy of the inspection and repair log for those times when corrective actions are required due to an opacity exceedance and/or records of any U.S. EPA Reference Method 9 opacity observations as noted in **4. Specific Monitoring**

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

Requirements (a). Copies of these records shall be submitted as a part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]

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

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

Three Electroplating Lines

Emission Point	Description	Construction Commenced	Control Device
07	JPS-117, plating line (not subject to WWWWWW)	1992	None
04	PL-118 (WRL) Tin plating, copper plating.	1998	None
05	PL-119 (WBL) Tin plating, copper plating	2000	None

Electroplating Lines Exhaust Points

Emission Point	Description
EU-96	EF-1; Plating Tanks Sulfuric Acid Exhaust (for all 3 electroplating lines)
EU-97	EF-2; Plating Tanks General Exhaust (Copper plating and Zincate) (for 2 electroplating lines- WRL-118 & WBL-119)
EU-98	EF-3; Plating Tanks Nitric Acid Exhaust (for all 3 electroplating lines)
EU-99	EF-4; Plating Tanks Alkalines Exhaust (for all 3 electroplating lines)

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations

401 KAR 63:002, Section 2(4)(uuuu) 40 C.F.R. 63.11504 to 63.11512, Table 1 (Subpart WWWWWW), National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations, applies to electroless pretreatment process in EP 04, EP 05

STATE-ORIGIN REQUIREMENTS:

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

1. Operating Limitations:

- a. The permittee shall implement the applicable management practices in paragraphs 40 CFR 63.11507(g)(1) through (12) during all times that the effected process is in operation, as practicable. [40 CFR 63.11507(g)]
 - (1) Minimize bath agitation when removing any parts processed in the tank, as practicable except when necessary to meet part quality requirements. [40 CFR 63.11507(g)(1)]
 - (2) Maximize the draining of bath solution back into the tank, as practicable, by extending drip time when removing parts from the tank; using drain boards (also

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

- known as drip shields; or withdrawing parts slowly from the tank, as practicable. [40 CFR 63.11507(g)(2)]
- (3) Optimize the design of barrels, racks, and parts to minimize dragout of bath solution (such as by using slotted barrels and tilted racks, or by designing parts with flow-through holes to allow tank solution to drip back into the tank), as practicable. [40 CFR 63.11507(g)(3)]
 - (4) Use tank covers, if already owned and available at the facility, as practicable. [40 CFR 63.11507(g)(4)]
 - (5) Minimize or reduce heating of process tanks, as practicable (e.g., when doing so would not interrupt production or adversely affect part quality). [40 CFR 63.11507(g)(5)]
 - (6) Perform regular repair, maintenance, and preventative maintenance of equipment associated with affected sources, as practicable. [40 CFR 63.11507(g)(6)]
 - (7) Minimize bath contamination, such as through the prevention or quick recovery of dropped parts, use of distilled/de-ionized water, water filtration, pre-cleaning of parts to be plated, and thorough rinsing of pre-treated parts to be plated, as practicable. [40 CFR 63.11507(g)(7)]
 - (8) Maintain quality control of chemicals, and chemical and other bath ingredient concentrations in the tanks, as practicable. [40 CFR 63.11507(g)(8)]
 - (9) Perform general good housekeeping, such as regular sweeping or vacuuming, if needed, and periodic washdowns as practicable. [40 CFR 63.11507(g)(9)]
 - (10) Minimize spills and overflow of tanks, as practicable. [40 CFR 63.11507(g)(10)]
 - (11) Use squeegee rolls in continuous or reel-to-reel plating tanks, as practicable. [40 CFR 63.11507(g)(11)]
 - (12) Perform regular inspections to identify leaks and other opportunities for pollution prevention. [40 CFR 63.11507(g)(12)]

Compliance Demonstration Method:

- A. The permittee must be in compliance with the applicable management practices and equipment standards in 40 CFR 63, Subpart WWWW at all times. [40 CFR 63.11508(b)]
- B. To demonstrate continuous compliance with the applicable management practices and equipment standards specified in 40 CFR 63, Subpart WWWW, the permittee must satisfy the requirements specified in 40 CFR 63.11508(d)(1) through (8). [40 CFR 63.11508(d)]

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

1. The permittee must always operate and maintain the affected source, including air pollution control equipment. [40 CFR 63.11508(d)(1)]
2. The permittee must prepare an annual compliance certification according to the requirements specified in 40 CFR 63.11509(c), "Notification, Reporting, and Recordkeeping," and keep it in a readily-accessible location for inspector review. [40 CFR 63.11508(d)(2)]
3. For each affected tank or other operation that is subject to the management practices specified in 40 CFR 63.11507(g), "What are my standards and management practices?", the permittee must demonstrate continuous compliance according to 40 CFR 63.11508(d)(8)(i) and (ii). [40 CFR 63.11508(d)(8)]
 - I. The permittee must implement the applicable management practices during all times that the affected tank or process is in operation. [40 CFR 63.11508(d)(8)(i)]
 - II. The permittee must state in the annual compliance certification that the permittee has implemented the applicable management practices, as practicable. [40 CFR 63.11508(d)(8)(ii)]

2. Emission Limitations:

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

Compliance Demonstration Method:

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

- b. For emissions from a control device or stack, the permittee shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 lb/hr. [401 KAR 59:010, Section 3(2)]

Compliance Demonstration Method:

The source is assumed to be in compliance when the emission points are operated and properly maintained according to the manufacturer's specifications and recommendations.

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

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

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

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the Cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.

4. Specific Monitoring Requirements:

- a. The permittee shall perform a qualitative visual observation of the opacity of emissions at each stack no less than weekly while the affected facility is operating. If visible emissions from the stacks are observed (not including condensed water in the plume), the permittee shall determine the opacity using U.S. EPA Reference Method 9. In lieu of determining the opacity using U.S. EPA Reference Method 9, the permittee shall immediately perform a corrective action which results in no visible emissions (not including condensed water in the plume). [401 KAR 52:030, Section 10]
- b. The permittee shall monitor the 12-month rolling total VOC emissions monthly. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain a log of the qualitative visual observations made as specified in **4. Specific Monitoring Requirements** including the date, time, initials of observer, whether any emissions were observed (yes/no), and any U.S. EPA Reference Method 9 readings taken. [401 KAR 52:030, Section 10]
- b. The permittee shall maintain monthly records all materials used containing VOC including the product type, amount used and the weight percentages for VOC. [401 KAR 52:030, Section 10]
- c. At the end of each month, the permittee shall calculate VOC emissions according to Section D, and every month, a new 12-month rolling total for VOC emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]
- d. The permittee shall keep the records specified in 40 CFR 63.11509(e)(1) through (3). [40 CFR 63.11509(e)]
 - (1) A copy of any Initial Notification and Notification of Compliance Status the permittee submitted and all documentation supporting those notifications. [40 CFR 63.11509(e)(1)]
 - (2) The records specified in 40 CFR 63.10(b)(2)(i) through (iii) and (xiv) of the General Provisions of 40 CFR 63. [40 CFR 63.11509(e)(2)]

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

(3) The records required to show continuous compliance with each management practice and equipment standard that applies to the source, as specified in 40 CFR 63.11508(d). [40 CFR 63.11509(e)(3)]

- e. The permittee shall keep each record for a minimum of 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. The permittee shall keep each record onsite for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1) of the General Provisions to part 63. The permittee may keep the records offsite for the remaining 3 years. [40 CFR 63.11509(f)]

6. Specific Reporting Requirements:

- a. The permittee shall submit a copy of the inspection and repair log for those times when corrective actions are required due to an opacity exceedance and/or records of any U.S. EPA Reference Method 9 opacity observations as noted in **4. Specific Monitoring Requirements** (a). Copies of these records shall be submitted as a part of the semiannual reporting as required in Section F (5) & (6). [401 KAR 52:030, Section 10]

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

- c. The permittee shall prepare an annual certification of compliance report according to 40 CFR 63.11509(c)(1) through (7). These reports do not need to be submitted unless a deviation from the requirements of 40 CFR 63, Subpart WWWW has occurred during the reporting year, in which case, the annual compliance report shall be submitted along with the deviation report. [40 CFR 63.11509(c)]

(1) For each affected tank or other affected plating and polishing operation that is subject to the management practices specified in 40 CFR 63.11507(g), "What are my standards and management practices?" the permittee must state in the annual compliance certification that the permittee has implemented the applicable management practices, as practicable. [40 CFR 63.11509(c)(6)]

(2) Each annual compliance report shall be prepared no later than January 31 of the year immediately following the reporting period and kept in a readily-accessible location for inspector review. If a deviation has occurred during the year, each annual compliance report shall be submitted along with the deviation report, and postmarked or delivered no later than January 31 of the year immediately following the reporting period. [40 CFR 63.11509(c)(7)]

- d. If any deviations from the compliance requirements occurred during the year, the permittee shall report the deviations, along with the corrective action taken, and submit this report to the Division. [40 CFR 63.11509(d)]

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

- e. The permittee shall complete and return a Compliance Certification Form in accordance with Section C (6) b of this permit. [401 KAR 52:030, Section 10]

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Emission Point 06 (EU 95) Cummins Fire Pump**

Description: 137 HP Diesel Pump (V-378-F2)
Rated Capacity: 7.4 gal/hr
Primary Fuel: Diesel
Date Installed: July 1987

APPLICABLE REGULATIONS:

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

1. Operating Limitations:

- a. The permittee shall comply with the requirements in Table 2d to 40 CFR 63, Subpart ZZZZ that apply. The permittee shall comply with the following requirements: [40 CFR 63.6603(a)]
 - (1) Change oil and filter every 500 hours of operation or annually, whichever comes first; [40 CFR 63, Subpart ZZZZ, Table 2d(4)(a)]
 - (2) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and [40 CFR 63, Subpart ZZZZ, Table 2d(4)(b)]
 - (3) 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(4)(c)]
 - (4) Sources have the option to utilize an oil analysis program as described in 40 CFR 63.6625(i) in order to extend the specified oil change requirement in 40 CFR 63, Subpart ZZZZ. [40 CFR 63, Subpart ZZZZ, Table 2d, Footnote 1]
 - (5) 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 in Table 2d of 40 CFR 63, Subpart ZZZZ, 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 must 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]
 - (6) Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-start emission limitation apply. [40 CFR 63.6603, 40 CFR 63.6625(e)]

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

Compliance Demonstration Method:

- A. The permittee must operate and maintain the existing statutory emergency RICE according to the manufacturer's emission-related operating and maintenance instructions, or develop and follow 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)]
- B. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2d to 40 CFR 63, Subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d to this subpart. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the permittee is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the permittee must change the oil within 2 business days or before commencing operation, whichever is later. The permittee must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. [40 CFR 63.6625(i)]
 - b. The permittee must use diesel fuel that meets the requirements in 40 CFR 1090.305 for nonroad diesel fuel. [40 CFR 63.6604(b)]
 - c. The permittee must be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply at all times. [40 CFR 63.6605(a)]
 - d. At all times the permittee must 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 you 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)]
 - e. The permittee must operate the emergency stationary RICE according to the requirements in 40 CFR 63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE under 40 CFR 63, Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency

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

situations for 50 hours per year, as described in 40 CFR 63.6640(f)(1) through (4), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 63.6640(f)(1) through (4), the engine will not be considered an emergency engine under 40 CFR 63, Subpart ZZZZ and must meet all requirements for non-emergency engines. [40 CFR 63.6640(f)]

- (1) There is no time limit on the use of emergency stationary RICE in emergency situations. [40 CFR 63.6640(f)(1)]
- (2) The permittee may operate the emergency stationary RICE for the purpose specified in 40 CFR 63.6640(f)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 63.6640(f)(3) and (4) counts as part of the 100 hours per calendar year allowed by 40 CFR 63.6640(f)(2). [40 CFR 63.6640(f)(2)]
 - i. Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [40 CFR 63.6640(f)(2)(i)]
- (3) Emergency stationary RICE 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)(i) and (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)]
 - 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 conditions in 40 CFR 63.6650(f)(4)(ii)(A) through (E) are met. [40 CFR 63.6640(f)(4)(ii)]

2. Emission Limitations:

Refer to Section D for the source-wide VOC emission limitations.

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the Cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**4. Specific Monitoring Requirements:**

- a. The permittee shall install a non-resettable hour meter if one is not already installed. [40 CFR 63.6625(f)]
- b. The permittee shall monitor the hours of operation and purpose of operation on a monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain the following records described in 40 CFR 63.6655(a)(1) through (5): [40 CFR 63.6655(a)]
 - (1) A copy of each notification and report submitted to comply with 40 CFR 63, Subpart ZZZZ, including all documentation supporting any Initial Notification or Notification of Compliance Status submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv). [40 CFR 63.6655(a)(1)]
 - (2) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. [40 CFR 63.6655(a)(2)]
 - (3) Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii). [40 CFR 63.6655(a)(3)]
 - (4) Records of all required maintenance performed on the air pollution control and monitoring equipment. [40 CFR 63.6655(a)(4)]
 - (5) Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR 63.6655(a)(5)]
- b. The permittee shall maintain records of maintenance conducted on the stationary RICE in order to demonstrate that the engine was operated and maintained, including any after-treatment control device (if any), according to the maintenance plan for the engine. [40 CFR 63.6655(e)]
- c. If the engine does not meet the standards applicable to non-emergency engines, 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 engines are used for the purpose 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 63.6640(f)]
- d. The permittee shall maintain records in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1). [40 CFR 63.6660(a)]

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

- e. As specified in 40 CFR 63.10(b)(1), the permittee shall keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [40 CFR 63.6660(b)]
- f. The permittee shall keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 63.10(b)(1). [40 CFR 63.6660(c)]
- g. At the end of each month, the permittee shall calculate VOC emissions according to Section D, and every month a new 12-month rolling total for VOC emissions shall be calculated and recorded. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

- a. The permittee shall report each instance in which the engine did not meet each emission limitation or operating limitation in Tables 1a and 1b, Tables 2a and 2b, Table 2c, and Table 2d to 40 CFR 63, Subpart ZZZZ that apply. These instances are deviations from the emission and operating 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. If the engine operates for the purpose specified in 40 CFR 63.6640(f)(4)(ii), the permittee shall submit an annual report according to the requirements in 40 CFR 63.6650(h)(1) through (3). [40 CFR 63.6650(h)]

SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)

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. 250 Gallon Fire Pump Tank	N/A
2. 750 Ton Chiller Cooling Tower	401 KAR 59:010
3. 725 Ton Chiller Cooling Towers (4)	401 KAR 59:010
4. 40 Ton Chiller Cooling Tower (Molding)	401 KAR 59:010
5. 100 Ton Chiller Cooling Tower	401 KAR 59:010
6. 500 Ton Molding Presses (5)	401 KAR 63:010
7. 440 Ton Molding Presses (2)	401 KAR 63:010
8. 400 Ton Molding Presses (2)	401 KAR 63:010
9. 220 Ton Molding Press	401 KAR 63:010
10. 200 Ton Molding Presses (4)	401 KAR 63:010
11. 83 Ton Molding Presses (3)	401 KAR 63:010
12. 55 Ton Molding Presses (2)	401 KAR 63:010
13. Salvanini Welding	401 KAR 63:010
14. Dept. 681 Welding	401 KAR 63:010
15. 2,900 Gallon Used Oil Tank	N/A
16. Parts Washers (3)	401 KAR 63:020
17. Aerosol Cans	401 KAR 63:020
18. Chillers/AC Units (18)	N/A

SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)

<u>Description</u>	<u>Generally Applicable Regulation</u>
19. 2,540 Cu. Ft. Polymer Pellet Hopper	401 KAR 59:010
20. 1,730 Cu. Ft. Polymer Pellet Hopper	401 KAR 59:010
21. 5,000 Gallon Paint Storage Tank	401 KAR 63:020
22. E-Coat Pretreatment System	401 KAR 59:010
23. WWTP for Metals Precipitation	N/A
24. 800 Ton Chiller Cooling Towers (3)	401 KAR 59:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any 12 consecutive months.
2. VOC, PM, SO₂, and Opacity emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.
 - a. Source-wide emissions of VOC shall not exceed 90 tons during any consecutive 12-month period. [To preclude 401 KAR 52:020]

Compliance Demonstration Method:

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

Where;

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

Source-wide VOC emissions = Σ [VOC emissions from coating operations] + Σ [VOC emissions from natural gas combustion units] + Σ [VOC emissions from Insignificant Activities, if applicable]

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

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

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

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

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

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

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

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

- d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
 - f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the Division for Air Quality, Frankfort Regional Office, 300 Sower Boulevard, 1st Floor, Frankfort, KY 40601.
10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within 30 days of the date the Kentucky Emissions Inventory System (KYEIS) emissions survey is mailed to the permittee. If a KYEIS emissions survey is not mailed to the permittee, then the permittee shall comply with all other emissions reporting requirements in this permit.
11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - (1) The size and location of both the original and replacement units; and
 - (2) Any resulting change in emissions;
 - b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
 - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
 - d. The replacement unit shall comply with all applicable requirements; and
 - e. The source shall notify Regional office of all shutdowns and start-ups.
 - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
 - (1) Re-install the original unit and remove or dismantle the replacement unit; or
 - (2) Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

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

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

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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

2. Permit Expiration and Reapplication Requirements

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

3. Permit Revisions

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

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

No construction authorized by this permit (F-23-047).

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.

SECTION G - GENERAL PROVISIONS (CONTINUED)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,
 - (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.

SECTION G - GENERAL PROVISIONS (CONTINUED)

- 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