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:	**Owensboro Specialty Polymers Inc.**
Mailing Address:	**5529 HWY. 2830, Owensboro, KY 42303**
Source Name:	**Owensboro Specialty Polymers Inc.**
Mailing Address:	**5529 HWY. 2830, Owensboro, KY 42303**
Source Location:	**5529 HWY. 2830, Owensboro, KY**
Permit ID:	**F-25-002**
Agency Interest #:	**972**
Activity ID:	**APE20220001**
Review Type:	**Conditional Major, Operating**
Source ID:	**21-059-00155**
Regional Office:	**Owensboro Regional Office** **3032 Alvey Park Dr. W., Suite 700** **Owensboro, KY 42303** **(270) 687-7304**
County:	**Daviess**
Application Complete Date:	**January 10, 2025**
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-25-002	Renewal	APE20220001	1/10/2025		Renewal 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 (CONTINUED)

Emission Point and Description of reactor train with primary components	Maximum Output
Emission Point 008: DARAN (Reactor Train R-200); Install Date: 5/1961	
• "A" Monomer mix tank V-201 with vents: VT 1301-1 (manual/emergency vent on tanks V-201 and V-211) and VT 1308-1 (steam ejector (vacuum) vent for monomer mix tanks A, B, and C, and reactors A, B, and C) • DESM tank V-205 (open top) • "A" Continuous catalyst tank V-203 with vent *VT 1308-10* • SEDAR tank V-207 with vent *VT 1301-6* • "A" Reactor R-200 with vents: VT 1301-2 (manual/emergency vent on reactor R-200) and VT 1308-1 (steam ejector (vacuum) vent for monomer mix tanks A, B, and C, and reactors A, B, and C) • Pre-stripped latex tanks V-241 and V-242 (PSLT 1 and 2) with vent VT 1308-6 (manual vent on PSLTs 1 and 2) • "A" Stripper S-200 in series with "A" condenser H-200 and "A" vacuum receiver VR-H200, with vent VT 1308-3 (two-stage steam ejector (vacuum) vent for the "A" stripper) • Stripped latex tanks V-251 and V-252 (SLT 1 and 2) with vents: *VT 1308-8 (steam ejector (vacuum) vent for SLTs 1, 2, 3, and 4, and VT 1308-12 (manual vents on SLTs 1 and 2)* • Fugitives: 1 light liquid pump; 1 gas/vapor valve; 32 light liquid valves; 2 heavy liquid valves; 2 PR valves; 258 flanges/connectors; 2 open-ended lines and 6 sampling connections	547.7 lb/hr/batch
Emission Point 009: DARAN (Reactor Train R-210); Install Date: 4/1967	
• "B" Monomer mix tank V-211 with vents: VT 1301-1 (manual/emergency vent on tanks V-201 and V-211); VT 1308-1 (steam ejector (vacuum) vent for monomer mix tanks A, B, and C, and reactors A, B, and C) • DESM tank V-215 (open top) • "B" Continuous catalyst tank V-213 with vent: *VT 1308-11* • SEDAR tank V-207 with vent: *VT 1301-6* • B" Reactor R-210 with vents: VT 1301-3 (manual/emergency vent on reactor R-210); VT 1308-1 (steam ejector (vacuum) vent for monomer mix tanks A, B, and C, and reactors A, B, and C) • Pre-stripped latex tanks V-243 and V-244 (PSLT 3 and 4) with vent: VT 1308-7 (manual vent on PSLTs 3 and 4) • 'B" Stripper S-210 in series with "B" condenser H-210 and "B" vacuum receiver VR-H210, with vent and VT 1308-4 (two-stage steam ejector (vacuum) vent for the "B" stripper) • Stripped latex tanks V-253 and V-254 (SLT 3 and 4) with vents: VT 1308-8 (steam ejector (vacuum) vent for SLTs 1, 2, 3, and 4, and VT 1308-13 (manual vents on SLTs 3 and 4) • Fugitives: 2 light liquid pumps; 1 gas/vapor valve; 31 light liquid valves; 2 heavy liquid valves; 1 PR valve; 257 flanges/connectors; 2 open-ended lines and 6 sampling connections	618.3 lb/hr/batch

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

Emission Point and Description of reactor train with primary components	Maximum Output
Emission Point 010: DARAN (Reactor Train R-220); Install Date: 7/1985	
• "C" Monomer mix tank V-221 with vents: VT 1301-4 (manual/emergency vent on tank V-221); VT 1308-1 (steam ejector (vacuum) vent for monomer mix tanks A, B, and C, and reactors A, B, and C) • DESM tank V-225 with vent: *VT-1308-9* • "C" Continuous catalyst tank V-223 • SEDAR tank V-207 with vent: *VT 1301-6* • "C" Reactor R-220 with vents: VT 1301-4 (manual/emergency vent on reactor R-220) and VT 1308-1 (steam ejector (vacuum) vent for monomer mix tanks A, B, and C, and reactors A, B, and C) • "C" Stripper S-220 in series with "C" condenser H-220 with vents: VT 1308-5 (two-stage steam ejector (vacuum) vent for the "C" stripper) and VT-1308-2 (manual vent on "C" stripper S-220) • Fugitives: 1 light liquid pump; 1 gas/vapor valve; 31 light liquid valves; 2 heavy liquid valves; 1 PR valve; 257 flanges/connectors; 2 open-ended lines and 6 sampling connections	1197.8 lb/hr/batch
Emission Point 011: DARAN (Reactor Train R-230); Install Date: 6/1958	
• Monomer mix tank V-231 with vents: VT 1104-18 (emergency vent on tank V-231) and VT 1104-23 (vent for monomer mix tank V-231) • Continuous catalyst tank V-233 with vent: VT 1304-2 • SEDAR tank V-207 with vent: VT 1301-6 • Reactor R-230 with vents: VT 1301-7 (manual/emergency vent on reactor R-230) and VT 1304-1 (steam ejector vent for reactor R-230) • Continuous feed tank V-653 with vent: VT 6004-1** • Continuous feed tank V-654 with vent: VT-6004-2** • Fugitives: 1 heavy liquid pump; 31 light liquid valves; 1 heavy liquid valve; 1 PR valve; 257 flanges/connectors; 3 open-ended lines and 7 sampling connections	1151.9 lb/hr/batch
Emission Point 018: DARAN (Reactor Train R-51); Install Date: 6/1958	
• Monomer mix tank V-34 with vents: VT 1104-18 (emergency vent on monomer mix tank V-231) and VT 1104-23 (manual vent on monomer mix tank V-231) • Reactor R-51 with vents: VT 1104-1 (steam ejector vent on reactor R-51); VT 1104-12 (steam out vent for reactor R-51) and VT 1104-25 (manual/emergency vent for R-51) • Condenser H-R51 with vents: VT 1104-12 and VT 1104-38 • Vacuum receiver VR-R51 with vent • VT 1104-7 (emergency vent for R-51 vacuum receiver)	858.1 lb/hr/batch

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

Emission Point and Description of reactor train with primary components	Maximum Output
Emission Point 012: Specialty R-1117 (Reactor Train R-650); Install Date: 7/1997	
• Monomer mix tank V-652 with vent: VT 6004-3 (manual vent on monomer mix tank V-652) • Reactor R-650 with vents: VT 6001-1 (manual vent on reactor R-650); VT 6001-2 (emergency vent on reactor R-650) and VT 6004-2 (emergency vent on reactor R-650) • Continuous feed tank V-653 with vent: VT 6004-1** • Continuous feed tank V-654 with vent: VT-6004-2** • Fugitives: 1 light liquid pump; 4 gas/vapor valves; 54 light liquid valves; 1 PR valve; 66 flanges/connectors and 1 sampling connection	195.7 lb/hr/batch
Emission Point 014: Specialty R-1117 (Reactor Train R-450); Install Date: 7/1997	
• Reactor R-460 with vents: VT 1604-3 (steam ejector vent through vacuum receiver VR-450 for reactors R-450 and R-460 and tank V-451); VT 1604-1 (manual vent for reactors R-450 and R-460) and VT 1604-4 (sampling hood vent from reactors R-450 and R-460) • Packaging hood with vent: VT 1603-1 (exhaust fan vent in Hypol packaging area) • Fugitives: 1 light liquid pump; 2 heavy liquid pumps; 4 gas/vapor valves; 2 light liquid valves; 32 heavy liquid valves; 3 heavy liquid agitators; 167 flanges/connectors; 5 open-ended lines and 9 sampling connections	390.8 lb/hr/batch
Emission Point 016: Raw Materials Tank MMA 512; Installation Date: 1996	
21,256.42-gallon capacity, throughput 869788.5 gallons/year, cone roof fixed tank, VP 44mm Hg at 26^0C	0.28 ton/hr/batch

** Tanks are shared between EP11 and EP12, production occurs only in one EP at any time.

APPLICABLE REGULATIONS:

401 KAR 60:005, Section 2(2)(r), 40 C.F.R. 60.110b through 60.117b (Subpart Kb), Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modifications Commenced After July 23, 1984, applies only to Emission point 016.

STATE-ORIGIN REQUIREMENT:

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

NON-APPLICABLE REGULATIONS:

401 KAR 60:005 Section 2(2)(r), 40 C.F.R. 60.110b through 60.117b (Subpart Kb), Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984.

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

401 KAR 60:005 Section 2(2)(bbb), 40 C.F.R. 60.480 through 60.489 (Subpart VV), Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006.

401 KAR 60:005 Section 2(2)(ggg),), 40 C.F.R. 60.560 through 60.566 (Subpart DDD), Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.

401 KAR 60:005 Section 2(2)(ttt), 40 C.F.R. 60.700 through 60.708 (Subpart RRR), Standards of Performance for Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.

401 KAR 63:002 Section 2(4)(a), 40 C.F.R. 63.100 through 63.107, Tables 1 through 4 (Subpart F), National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry.

401 KAR 63:002 Section 2(4)(b), 40 C.F.R. 63.110 through 63.153, Tables 1 through 37, and Figure 1 (Subpart G), National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.

401 KAR 63:002 Section 2(4)(c), 40 C.F.R. 63.160 through 63.183, Tables 1 through 4 (Subpart H), National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.

401 KAR 63:002 Section 2(4)(e), 40 C.F.R. 63.210 through 63.217 (Subpart J), National Emission Standards for Hazardous Air Pollutants for Polyvinyl Chloride and Copolymers Production.

401 KAR 63:002 Section 2(4)(n), 40 C.F.R. 63.480 through 63.507, Tables 1 through 9 (Subpart U), National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins.

401 KAR 63:002 Section 2(4)(vv), 40 C.F.R. 63.110 through 63.1336, Tables 1 through 9 (Subpart JJJ), National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins.

401 KAR 63:002 Section 2(4)(lll), 40 C.F.R. 63.2430 through 63.2550, Tables 1 through 12 (Subpart FFFF), National Emission Standards for Hazardous Air Pollutants: Miscellaneous Organic Chemical Manufacturing.

401 KAR 63:002 Section 2(4)(ttttt), 40 C.F.R. 63.11494 through 63.211503, Tables 1 through 9 (Subpart VVVVVV), National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources.

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

401 KAR 63:002 Section 2(4)(zzzzz), 40 C.F.R. 63.11579 through 63.11588, Tables 1 through 6 (Subpart BBBBBBB) National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry.

401 KAR 63:002 Section 2(4)(dddddd), 40 C.F.R. 63.11860 through 63.12005, Tables 1 through 10 (Subpart HHHHHHH) National Emission Standards for Hazardous Air Pollutant Emissions for Polyvinyl Chloride and Copolymers Production.

1. **Operating Limitations:**
   None

2. **Emission Limitations:**
   a. 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]

      Compliance Demonstration Method:
      The Cabinet determines that source is in compliance with 401 KAR 63:020 based on the rate of emissions of airborne toxics determined by the cabinet using information provided in the application and supplemental information submitted by the source in year 2025, along with a source-wide limit on emissions of acrylonitrile.

   b. See **Section D** for Source Emission Limitations**.**

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

4. **Specific Monitoring Requirements:**
   For EP 016:
   a. The permittee of each storage vessel as specified in 40 CFR 60.110b(a) shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. [401 KAR 52:030, Section 10]

   b. Except as provided in 40 CFR 60.110b(f) and (g), the permittee of each storage vessel either with a design capacity greater than or equal to 151 m^3 storing a liquid with a maximum true vapor pressure greater than or equal to 3.5 kPa or with a design capacity greater than or equal to 75 m^3 but less than 151 m^3 storing a liquid with a maximum true vapor pressure greater than or equal to 15.0 kPa shall maintain a record of the volatile organic liquid (VOL) stored, the period of storage, and the maximum true vapor pressure

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

of that VOL during the respective storage period. [40 CFR 60.116b(c) and 401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

a. The permittee shall keep records of the total number of batches of each product family produced (e. g., DAXAD, DARAN, etc.) and the average weight of each batch on a monthly basis. Tank modeling results must be available for inspection. [401 KAR 52:030, Section 10]

b. Emission Master, version 7.2 or other methods approved by the Division for Air Quality shall be used to calculate emissions from the raw material storage tanks. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

See **Section F.**

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

Emission Points	Description	Maximum Hourly Rate (lb/hr)
017	Wastewater Treatment Tank System Installation Date: 01/1999	0.8920

Description:
Wastewater from the reactor trains is collected and transmitted to the wastewater treatment tank system, consisting of a series of concrete tanks that equalize and pretreat the wastewater stream. The three chambered concrete tank system has three 7.5 hp aerators (one per chamber) and a total capacity of 240,000 gallons.

APPLICABLE REGULATIONS:
401 KAR 63:020, Potentially hazardous matter or toxic substances. [STATE-ORIGIN REQUIREMENT**]**

NON-APPLICABLE REGULATIONS:
401 KAR 63:002 Section 2(4)(b), 40 C.F.R. 63.110 through 63.153, Tables 1 through 37, and Figure 1 (Subpart G), National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.

1. **Operating Limitations:**
   None

2. **Emission Limitations:**
   a. 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]

      Compliance Demonstration Method:
      The Cabinet determines that source is in compliance with 401 KAR 63:020 based on the rate of emissions of airborne toxics determined by the cabinet using information provided in the application and supplemental information submitted by the source in 2025, along with a source-wide limit on emissions of acrylonitrile.

   b. See **Section D** for Source Emission Limitations**.**

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

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

4. **Specific Monitoring Requirements:**
   None

5. **Specific Recordkeeping Requirements:**
   See **Section F.**

6. **Specific Reporting Requirements:**
   See **Section F.**

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

Emission Unit 100 Diesel-fired Emergency Generator (capacity: 423 HP)
Manufacture Date: 2005; Installation Date: 2005
Fuel usage: 21 gallons/hr

APPLICABLE REGULATIONS:
401 KAR 63.002 Section 2(4)(eeee), 40 C.F.R. 63.6580 through 63.6675, Tables 1a through 8, and Appendix A (Subpart ZZZZ), National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

1. **Operating Limitations:**
   a. The permittee must comply with the requirements in Item 4. in Table 2d to 40 CFR 63, Subpart ZZZZ as follows: [40 CFR 63.6603(a)]
      (1) Change oil and filter every 500 hours of operation or within 1 year + 30 days of the previous change, whichever comes first; [Item 4.a in Table 2d to 40 CFR 63, Subpart ZZZZ]

      (2) Inspect air cleaner every 1,000 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary; and [Item 4.b in Table 2d to 40 CFR 63, Subpart ZZZZ]

      (3) Inspect all hoses and belts every 500 hours of operation or within 1 year + 30 days of the previous inspection, whichever comes first, and replace as necessary. [Item 4.c in Table 2d to 40 CFR 63, Subpart ZZZZ]

   b. The permittee must minimize the engines' time spent at idle during startup and minimize the engines' startup time to a period needed for appropriate and safe loading of the engines, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Table 2d to 40 CFR 63, Subpart ZZZZ apply. [40 CFR 63.6625(h)]

   c. The permittee must be in compliance with the emission limitations and operating limitations in 40 CFR 63, Subpart ZZZZ 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 the permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [to 40 CFR 63.6605(b)]

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

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 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 their 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 owner or operator 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 owner or operator 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 located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response 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)]

Compliance Demonstration Method:
The permittee must demonstrate continuous compliance with each emission limitation, operating limitation, and other requirements in Table 2d to 40 CFR 63, Subpart ZZZZ according to methods specified in Item 9 in Table 6 to 40 CFR 63, Subpart ZZZZ as follows: [40 CFR 63.6640(a)]

a. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or [Item 9.a.i in Table 6 to 40 CFR 63, Subpart ZZZZ]

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

b. Develop and follow your 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. [Item 9.a.ii in Table 6 to 40 CFR 63, Subpart ZZZZ]

2. Emission Limitations:
See **Section D.**

3. Testing Requirements:
Performance 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 operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop their own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 63.6625(e)(3)]

b. The permittee shall install non-resettable hour meters on the engines if they are not already installed. [40 CFR 63.6625(f)]

c. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 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 40 CFR 63, Subpart ZZZZ. 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 engine owner or operator 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 engine owner or operator must change the oil within 2 business days or before commencing operation, whichever is later. The owner or operator 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)]

d. The permittee shall monitor the amount of fuel burned and hours of operation of each engine on a monthly basis. [401 KAR 52:030, Section 10]

e. See **Section F**.

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

5. Specific Record Keeping Requirements:

a. The permittee shall keep the records described below: [40 CFR 63.6655 (a)]

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted, according to the requirement in 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 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 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)]

(6) The permittee must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan. [40 CFR 63.6655(e)(3)]

b. The permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. [40 CFR 63.6655(f)(2)]

c. Records must be in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1). [40 CFR 63.6660 (a)]

d. As specified in 40 CFR 63.10(b)(1), the permittee must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [40 CFR 63.6660 (b)]

e. The permittee must 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 40 CFR 63.10(b)(1). [40 CFR 63.6660 (c)]

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

6. Specific Reporting Requirements:

a. The permittee must report each instance in which the permittee 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. These deviations must be reported according to the requirements in 40 CFR 63.6650. If the permittee changes their catalyst, the permittee must reestablish the values of the operating parameters measured during the initial performance test. When the permittee reestablishes the values of their operating parameters, the permittee must also conduct a performance test to demonstrate that the permittee is meeting the required emission limitation applicable to their stationary RICE. [40 CFR 63.6640(b)]

b. The permittee must report each instance in which the permittee did not meet the requirements in Table 8 to 40 CFR 63, Subpart ZZZZ that apply. [40 CFR 63.6640(e)]

c. 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 this subpart, 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. [Table 2d, Footnote 2]

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.

	Description	Generally Applicable Regulation
1.	Welding (Max Usage: 2000 lbs/year of welding rods)	401 KAR 63:010
2.	Painting (Max Usage: 500 gals/year of paint)	401 KAR 63:010
3.	Paint Solvent (Max Usage: 500 gals/year of mineral spirit)	None
4.	Mechanical Parts Cleaning (Max Usage: 250 gals/year of Safety Kleen solvent)	None
5.	Laboratory Solvents (Max Usage: 250 gals/year of solvents)	None
6.	Pesticides and Herbicides (Max Usage: 200 lbs/year)	None
7.	Polymers Loading and Packaging Operations (Maximum of 28,452 tons/year of solids, dry basis)	None
8.	Sand Blasting Operations (Max Usage: 5000 lbs/year of sand)	401 KAR 61:020 401 KAR 63:010
9.	Polyvinyl Acetate process product storage tanks & vents (Maximum of 5,181 tons/year of solids, dry basis) Emission points: VT 3403 – 1,2,3,4,5,6,7,8,9,10,11,12; VT 3404 – 2,4,7 & 8	None
10.	Polyvinylidene Chloride process product storage tanks & vents (Maximum of 19,157 tons/year of solids, dry basis) Emission points: VT 1103 – 1,2; VT 1104 – 4,5 & 7; VT 1301 – 6; VT 1303 – 1 & 5; VT 1308 – 8,9,10,11,12,13	None
11.	Acrylic polymer process product storage tanks & vents (Maximum of 1,545 tons/year of solids, dry basis) Emission points: VT 1501 – 2,3,5	None
12.	Methyl Acrylate Storage Tank (Capacity 15,000 gals, Max Throughput 2,160,146 lbs/year) Vent ID: VT 3000 –1	None
13.	Butyl Acrylate Storage Tank (Capacity 20,000 gals, Max Throughput 1,125,801 lbs/year) Vent ID: VT 3000 – 2	None
14.	2-Ethyl Hexyl Acrylate Storage Tank (Capacity 9,800 gals, Max Throughput 774,487 lbs/year) Vent ID: VT 3000 – 3	None
15.	Di-n-Butyl Maleate Storage Tank (Capacity 20,000 gals, Max Throughput 2,354,082 lbs/year) Vent ID: VT 3000 – 4	None
16.	Hexylene Glycol Storage Tank (Capacity 15,000 gals, Max Throughput 768,185 lbs/year) Vent ID: VT 3000 – 8	None
17.	Glacial Methacrylic Acid Storage Tank (Capacity 8,000 gals, Max Throughput 105,497 lbs/year) Vent ID: VT 1104 – 26	None
21	N Serve EP21 Aromatic 100 Fluid Storage Vessel	401 KAR 63:020

SECTION C - INSIGNIFICANT ACTIVITIES

	Description	Generally Applicable Regulation
22	N Serve EP22 Xylene Storage Vessel	401 KAR 63:020
23	Linseed oil storage	None
24	N Serve EP24 Blend tank and Process Fugitives	401 KAR 63:020

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing 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. Volatile organic compound (VOC) and hazardous air pollutant (HAP) 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 Emission Limitations:
   To preclude the applicability of 401 KAR 52:020, *Title V permits*, and for compliance with 401 KAR 63:020, the total annual source-wide emissions shall not exceed the following limitations on a twelve (12) consecutive month basis:
   a. VOC emissions shall not exceed 90 tons per twelve (12) consecutive month basis;

   b. Emissions of any single HAP except acrylonitrile shall not exceed 9 tons per twelve (12) consecutive month basis;

   c. Emissions of combined HAPs shall not exceed 22.5 tons per twelve (12) consecutive month basis, and

   d. Emissions of acrylonitrile shall not exceed 0.580 tpy per twelve (12) consecutive month basis.

   Compliance Demonstration Method:
   Compliance with the annual emissions limitations contained in this permit, shall be based on the sum of the monthly emission rates from each emission point in **Sections B and Section C (if any**) during each twelve (12) consecutive month period. The monthly emission rates shall be defined as the sum of the products of the processing rates multiplied by each respective emission factor for each emission point. The permittee shall maintain monthly records, readily accessible to Division personnel upon request, of source wide emission and processing rates.

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, 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].

   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)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030, 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.

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.

SECTION G - GENERAL PROVISIONS (CONTINUED)

p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

q. Pursuant to 401 KAR 52:030, 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.

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

No construction authorized by this permit (F-25-002).

SECTION G - GENERAL PROVISIONS (CONTINUED)

5. Testing Requirements

   a. Pursuant to 401 KAR 50:045, Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.

   b. Pursuant to 401 KAR 50:045, Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.

   c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

6. Acid Rain Program Requirements

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

7. Emergency Provisions

   a. Pursuant to 401 KAR 52:030, Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
      (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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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.

b. If requested, submit additional relevant information to the Division or the U.S. EPA.

SECTION H – ALTERNATE OPERATING SCENARIOS

None

SECTION I - COMPLIANCE SCHEDULE

None