

**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**

Final

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

Permittee Name: Western Kentucky University
Mailing Address: 1906 College Heights Blvd, Bowling Green, KY
42101

Source Name: Western Kentucky University
Mailing Address: 1906 College Heights Blvd, Bowling Green, KY
42101

Source Location: in Bowling Green

Permit ID: F-23-037
Agency Interest #: 11402
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Regional Office: Bowling Green Regional Office
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Application
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Rick Shewekah

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

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Permit Number	Permit Type	Activity#	Complete Date	Issuance Date	Summary of Action
F-23-037	Renewal	APE20230002	8/25/2023	12/15/2023	Renewal

SECTION A - PERMIT AUTHORIZATION

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

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

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

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

Emission Unit 04, 05, and 07 Natural Gas-Fired Indirect Heat Exchangers

Description:

EU	Maximum Rating	Construction Commenced	Control Equipment
04	48.8 MMBtu/hr	September 2009	None
05	96.8 MMBtu/hr	May 2011	Low No _x Burners, FGR
07	20.1 MMBtu/hr	1992	None

APPLICABLE REGULATIONS:

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

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

1. Operating Limitations:

- a. During a startup or shutdown period, the permittee shall comply with 401 KAR 59:055, 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. Startups and shutdowns shall be conducted according to either the manufacturer's recommended procedures or recommended procedures for a unit of similar design, for which manufacturer's recommended procedures are available, as approved by the cabinet based on documentation provided by the owner or operator of the affected facility. [401 KAR 59:015, Section 7(1)(e)(1) and (2)]

Compliance Demonstration Method:

Compliance shall be demonstrated according to **5. Specific Recordkeeping Requirements (a)**.

2. Emission Limitations:

- a. The permittee shall not cause emissions of particulate matter in excess of 0.10 lb/MMbtu for each emission unit. [401 KAR 59:015, Section 4(1)(b)].
- b. The permittee shall not cause emissions of particulate matter in excess of twenty percent opacity, except: [401 KAR 59:015, Section 4(2)]
 - i. A maximum of 27 percent opacity shall be allowed for one six minute period in any sixty consecutive minutes; [401 KAR 59:015, Section 4(2)(a)]

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

- ii. For emissions from an affected facility caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 5(2)(c)]
- c. The permittee shall not cause emissions of gases that contain sulfur dioxide in excess of 0.80 lb/MMBtu for each emission unit. [401 KAR 59:015, Section 5(1)(b)(1)]

Compliance Demonstration Method:

The units are assumed to be in compliance with applicable particulate matter, sulfur dioxide, and opacity standards while combusting natural gas.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

The permittee shall monitor natural gas usage (in MMscf) source-wide, and for each emission unit on a monthly basis [40 CFR 60.48c(g)(2)]

5. Specific Recordkeeping Requirements:

- a. The actions, including duration of the startup periods, of the owner or operator 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)]
- b. The permittee shall maintain records of the amount of natural gas combusted (in MMscf) source-wide, and for each emission unit on a monthly basis. [40 CFR 60.48c(g)(2)]

6. Specific Reporting Requirements:

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

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

Emission Unit 06 and 09 Natural Gas-Fired Indirect Heat Exchangers

Description:

EU 06

Fifty Three (53) natural gas-fired indirect heat exchangers rated less than 10 MMBtu/hr and greater than or equal to 1 MMBtu/hr. Total heat input capacity =92.32 MMBtu/hr.

Description	Construction Commenced	Heat Input (MMBtu/hr)
6F	1990	3.35
6A	1992	1.27
6C	1992	3.35
6AC	1993	3.35
6E	1996	3.2
South Campus #1	2017	2
South Campus #2	1997	1
6J	1998	1.6
6X	1998	1.68
6B	2001	3.2
6O	2001	1.69
6P	2001	1.69
6Q	2001	1.69
6R	2001	1.69
6S	2001	1.69
6T	2001	1.69
6U	2001	1.69
6V	2001	1.69
6N	2013	1
6N	2013	1
Mass Media & Tech	2003	1
6AM	2014	2.5
6L1	2007	1.5
6L2	2007	1.5
6AO	2007	2
6AP	2007	2
6AS	2007	1.1
6AK	2007	1.8
6AL	2008	1.8
Smith Stadium East	2008	1
Gary Ransdell Hall 1	2009	1
Gary Ransdell Hall 2	2009	1
Van Meter Hall	2009	1
Snell Hall	2014	1.3
Hilltopper Hall B10A	2014	1.8
Hilltopper Hall B10B	2017	4

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

Description	Construction Commenced	Heat Input (MMBtu/hr)
Thompson Complex Central Wing	2018	1.5
3G2-R	2019	1.5
3G1-R	2020	1.5
3J1-R	2019	1.5
3J2-R	2020	1.5
Regents Hall 1	2020	1.5
Regents Hall 2	2020	1.5
Normal Hall 1	2020	1.5
Normal Hall 2	2020	1.5
6AR-R	2021	2
6AD-R	2021	2
6AE-R	2021	2
6AH-R	2021	2
6WA	2023	1.5
6WB	2023	1.5
6AQ-1	2023	1
6AQ-2	2023	1

EU 09

Four (4) natural gas-fired indirect heat exchangers. Total Heat Input Capacity =6.0 MMBtu/hr.

Description	Construction Commenced	Heat Input (MMBtu/hr)
6G2	2009	1.5
6M1-R	2019	1.5
6M2-R	2019	1.5
6G1-R	2020	1.5

APPLICABLE REGULATIONS:

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

1. Operating Limitations:

- a. During a startup or shutdown period, the permittee shall comply with 401 KAR 59:055, 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)]

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

- d. Startups and shutdowns shall be conducted according to either the manufacturer's recommended procedures or recommended procedures for a unit of similar design, for which manufacturer's recommended procedures are available, as approved by the cabinet based on documentation provided by the owner or operator of the affected facility. [401 KAR 59:015, Section 7(1)(e)(1) and (2)]

Compliance Demonstration Method:

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

2. Emission Limitations:

- a. The permittee shall not cause emissions of particulate matter in excess of 0.10 lb/MMBtu for each emission point. [401 KAR 59:015, Section 4(1)(b)].
- b. The permittee shall not cause emissions of particulate matter in excess of 20 percent opacity, except: [401 KAR 59:015, Section 4(2)]
 - i. A maximum of 27 percent opacity shall be allowed for one six minute period in any sixty consecutive minutes. [401 KAR 59:015, Section 4(2)(a)]
 - ii. For emissions caused by building a new fire, emissions during the period required to bring the boiler up to operating conditions shall be allowed, if the method used is recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 59:015, Section 4(2)(c)]
- c. The permittee shall not cause emissions of gases that contain sulfur dioxide in excess of 0.8 lb/MMBtu for each emission point. [401 KAR 59:015, Section 5(1)(b)(1)]

Compliance Demonstration Method:

The units are assumed to be in compliance with applicable particulate matter, sulfur dioxide, and opacity standards while combusting natural gas.

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

The permittee shall monitor source-wide natural gas usage on a monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of source-wide natural gas usage on a monthly basis. [401 KAR 52:030, Section 10]
- b. The actions, including duration of the startup periods, of the owner or operator of each affected facility during startup periods and shutdown periods, shall be documents by signed, contemporaneous logs, or other relevant evidence; and [401 KAR 59:015, Section 7(1)(d)]

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

6. Specific Reporting Requirements:

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

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

Emission Unit 10 Eleven (11) Natural Gas-Fired Engines

Description:

Eleven natural gas-fired emergency generator engines rated between 25 kW and 300 kW. Total power capacity of 1,582 kW.

Description	Manufacture Date	Construction Commenced	Power Output (kW)
Downing/University Center-2006	-	2006	206
Industrial Ed Bldg	-	2006	25
Parking & Transportation	-	2006	45
Health Services	-	2007	50
Schneider Hall	-	2007	36
South Campus – CC	-	2007	70
Academic Complex	09/2007	11/2007	200
Mass Media & Tech	12/2007	12/2008	300
Snell Hall #1	08/2008	02/2009	250
Snell Hall #2	08/2008	02/2009	250
Van Meter Hall	12/2008	05/2009	150

APPLICABLE REGULATIONS:

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

1. Operating Limitations:

- a. The permittee must be in compliance with the emission limitations, operating limitations, and other requirements in 40 CFR 63, Subpart ZZZZ, that apply at all times. [40 CFR 63.6605(a)]
- b. 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. [40 CFR 63.6605(b)]
- c. The permittee must minimize the engine's time spent at idle during startup to minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to

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all times other than startup in Tables 1a, 2a, 2c, and 2d to 40 CFR 63, Subpart ZZZZ apply. [40 CFR 63.6625(h)]

- d. The permittee must operate the emergency stationary RICE according to the requirements in 63.6640(f)(1) through (4). In order to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 63.6640(f)(1) through (4), is prohibited. If the permittee does not operate the engine according to 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)]
 - i. There is no time limit on the use of emergency stationary RICE in emergency situations. [40 CFR 63.6640(f)(1)]
 - ii. 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)]
 - (1) 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)]
 - iii. 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 provided in 63.6640(f)(2). Except as provided in 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)]
 - (1) The 50 hours per year for non-emergency situation can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [401 KAR 63.6640(f)(4)(ii)]
 - (a) The engine is dispatched by the local balancing authority or local transmission and distribution system operator. [40 CFR 63.6640(f)(4)(ii)(A)]
 - (b) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could

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

lead to the interruption of power supply in a local area or region.
[63.6640(f)(4)(ii)(B)]

- (c) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. [40 CFR 63.6640(f)(4)(ii)(C)]
- (d) The power is provided only to the facility itself or to support the local transmission and distributions system. [40 CFR 63.6640(f)(4)(ii)(D)]
- (e) The permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator. [40 CFR 63.6640(f)(4)(ii)(E)]

2. Emission Limitations:

N/A

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. The permittee shall install a non-resettable hour meter upon startup of the emergency engine. [40 CFR 63.6655(f)]
- b. The permittee shall monitor the hours of operation of each engine on a monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of the hours of operation of each engine on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee must keep a copy of each notification and report that is submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv). [40 CFR 63.6655(a)(1)]
- c. The permittee must keep record 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)]
- d. The permittee must keep records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii). [40 CFR 63.6655(a)(3)]

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

- e. The permittee must keep records of all required maintenance performed on the air pollution control and monitoring equipment. [40 CFR 63.6655(a)(4)]
- f. The permittee must keep 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)]

6. Specific Reporting Requirements:

- a. The permittee must report each instance in which the emission limitations or operating limitations as described in **1. Operating Limitations** and **2. Emission Limitations** are not met. These instances are deviations from the emission and operating limitations in 40 CFR 63, Subpart ZZZZ. The deviations must be reported according to the requirements in 40 CFR 63.6650. [40 CFR 63.6640(b)]
- b. The permittee must report each instance in which the requirements of Table 8 to 40 CFR 63, Subpart ZZZZ that apply were not met. The permittee does not need to comply with the requirements in Table 8 to 40 CFR 63, Subpart ZZZZ, except for the initial notification requirements. [40 CFR 63.6640(e)]
- c. The permittee must submit each report in Tale 7 of 40 CFR 63, Subpart ZZZZ, that applies. [40 CFR 63.6650(a)]
- d. For each deviation from an emission or operating limitation that occurs for a stationary RICE where the permittee is not using a CMS to comply with the emission or operating limitations in 40 CFR 63, Subpart ZZZZ, the compliance report must contain the information in 40 CFR 63.6650(c)(1) through (4) and 40 CFR 63.6650(d)(1) and (2). [40 CFR 63.6650(d)]
- e. For each deviation from an emission or operating limitation that occurs for a stationary RICE where the permittee is using a CMS to comply with the emission or operating limitations in 40 CFR 63, Subpart ZZZZ, the compliance report must contain the information in 40 CFR 63.6650(c)(1) through (4) and 40 CFR 63.6650(e)(1) through (12). [40 CFR 63.6650(e)]
- f. If the permittee operates for the purpose specified in 63.6640(f)(4)(ii), the permittee must submit an annual report according to the requirements in 63.6650(h)(1) through (3). [40 CFR 63.6650(h)]
- g. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

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

Emission Unit 11 Seventeen (17) Natural Gas-fired Emergency Generator Engines

Description:

Seventeen natural gas-fired emergency generator engines. Total Power output of 1,470 kW.

Emission Point	Manufacture Date	Construction Commenced	Power Output (kW)
Keen Hall	-	June 2010	25
Meredith/Zacharias Hall	January 2009	April 2009	60
McCormack Hall	-	August 2010	30
Music Hall/Ivan Wilson Hall	-	2011	70
Downing/University Center – 2013	2012	2013	150
Kentucky Building	-	2012	25
Honors/International Center	August 2013	2015	100
Jones-Jagger	-	2017	30
Ogden Hall	July 2005	2017	200
Parking Structure #3	July 2017	2017	60
Hilltopper Hall	-	2017	60
Gary Ransdell	August 2009	March 2010	75
Environmental Health and Safety Office	August 2019	June 2020	22
The Commons (Kohler)	October 2016	December 2020	300
Environmental Science and Tech Building	September 2021	August 2022	60
College High Hall	September 2021	May 2023	150
President's House	2023	October 2023	53

APPLICABLE REGULATIONS:

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

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

1. Operating Limitations:

- a. The permittee must operate the emergency stationary ICE according to the requirements In 40 CFR 60.4243(d)(1) through (3) of this section. In order for the engine to be considered an emergency stationary ICE under this subpart, any operation maintenance and testing, and operation in non-emergency situations for 50 hours per year as described in 40 CFR 60.4243(d)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 60.4243(d)(1) through (3), the engine

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

will not be considered an emergency engine under 40 CFR 60, Subpart JJJJ, and must meet all requirements for non-emergency engines. [40 CFR 60.4243(d)]

- i. There is no time limit on the use of emergency stationary ICE in emergency situations. [40 CFR 60.4243(d)(1)]
- ii. The permittee may operate the emergency stationary ICE for the purpose specified in 40 CFR 60.4243(d)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 60.4243(d)(3) counts as part of the 100 hours per calendar year allowed by 40 CFR 60.4243(d)(2). [40 CFR 60.4243(d)(2)]

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

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

(1) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [40 CFR 60.4243(d)(3)(i)]

- (a) The engine is dispatched by the local balancing authority or local transmission and distribution system operator; [40 CFR 60.4243(d)(3)(i)(A)]
- (b) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. [40 CFR 60.4243(d)(3)(i)(B)]
- (c) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. [40 CFR 60.4243(d)(3)(i)(C)]

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

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

2. Emission Limitations:

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

Compliance Demonstration Method:

The permittee shall demonstrate compliance by either: [40 CFR 60.4243(b)]

- a. Purchasing an engine certified according to procedures specified in this subpart, for the same model year and either: [40 CFR 60.4243(b)(1)]
 - i. Operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, the permittee must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required. The permittee must also meet the requirements specified in 40 CFR part 1068 Subparts A through D, as they apply. If the permittee adjusts engine settings according to and consistent with the manufacturer's instructions, the stationary SI internal combustion engine will not be considered out of compliance. [40 CFR 60.4243(a)(1)]
 - ii. If the permittee does not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, the engine will be considered a non-certified engine, and the permittee must demonstrate compliance according to 40 CFR 60.4243(a)(2)(i) through (iii), as appropriate. [40 CFR 60.4243(a)(2)]
- b. Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in 40 CFR 60.4233(d) or (e) according to the requirements specified in 40 CFR 60.4244, as applicable and: [40 CFR 60.4243(b)(2)]
 - i. The permittee must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee must conduct an initial performance test to demonstrate compliance. [40 CFR 60.4243(b)(2)(i)]

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

- b. The permittee must meet the requirements of 40 CFR 63, Subpart ZZZZ by meeting the requirements of 40 CFR 60, Subpart JJJJ. No further requirements apply for such engines under this part. [40 CFR 63.6590(c)]

3. Testing Requirements:

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

4. Specific Monitoring Requirements:

- a. The permittee must install a non-resettable hour meter upon startup of the emergency engine. [40 CFR 60.4237(b) and (c)]
- b. The permittee shall monitor hours of operation of each engine on a monthly basis. [401 KAR 52:030, Section 10]

5. Specific Recordkeeping Requirements:

The permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. [40 CFR 60.4245(b)]

6. Specific Reporting Requirements:

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

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

Emission Unit 12 Seven (7) Diesel-fired Emergency Generator Engines

Description:

Seven diesel-fired emergency generator engines. Total Power output of 1,775 kW.

Emission Point	Manufacture Date	Construction Commenced	Power Output (kW)
Agricultural Exposition Center	-	1979	125
Regents Hall	-	2005	200
Diddle Arena	-	2002	804
Heat Plant	-	1981	300
Pearce-Ford Tower	-	2004	150
Minton Hall	Prior to April 1, 2006	2006	200
Normal Hall	Prior to April 1, 2006	2006	200

STATE-ORIGIN REQUIREMENT:

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

PRECLUDED REGULATION:

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

1. Operating Limitations:

- a. 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) to preclude the requirements of 40 CFR 63, Subpart ZZZZ]
 - i. There is no time limit on the use of emergency stationary RICE in emergency situations. [40 CFR 63.6640(f)(1)]
 - ii. You may operate your 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)]
 - (1) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or

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

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 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)]

- iii. 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 provided in 40 CFR 63.6640(f)(2). 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) to preclude the requirements of 40 CFR 63, Subpart ZZZZ]

2. Emission Limitations:

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. The permittee shall not allow any affected facility to emit potentially hazardous matter or toxic substances in such quantities or duration as to be harmful to the health and welfare of humans, animals and plants. Evaluation of such facilities as to adequacy of controls and/or procedures and emission potential will be made on an individual basis by the cabinet. [401 KAR 63:020, Section 3]

Compliance Demonstration Method:

Based upon 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 requested by the Cabinet. [401 KAR 50:045, Section 1]

4. Specific Monitoring Requirements:

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

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records of the hours of operation of each engine on a monthly basis. [401 KAR 52:030, Section 10]

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

- b. The permittee shall document how many hours are spent for emergency operation, including what classified the operation as an emergency, and how many hours are spent for non-emergency operation. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

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

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

Emission Unit 13 Eight (8) Diesel-fired Emergency Generator Engines

Description:

Eight diesel-fired emergency generator engines. Total Power output of 2,670 kW.

Emission Point	Manufacture Date	Construction Commenced	Power Output (kW)
Poland Hall	-	2007	200
Rodes-Harlin	-	2007	200
L.T. Smith Stadium	-	2007	350
South Ave (Portable #2)	-	2009	320
Data Center #1	-	2011	600
Data Center #2	2011	2011	600
Innovation Center #1	2011	2015	250
Central Steam Plant B	2019	2020	150

APPLICABLE REGULATIONS:

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

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

1. Operating Limitations:

- a. The permittee must meet the requirements of 40 CFR 63, Subpart ZZZZ, by meeting the requirements of 40 CFR 60, Subpart III. [40 CFR 63.6590(c)]
- b. Beginning October 1, 2010, the permittee must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. [40 CFR 60.4207(b)]
- c. The permittee must operate the emergency stationary ICE according to the requirements in 40 CFR 60.4211(f)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR 60, Subpart III, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 60.4211(f)(1) through (3), is prohibited. If the permittee does not operate the engine according to the requirements in 40 CFR 63.4211(f)(1) through (3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines. [40 CFR 60.4211(f)]
 - i. There is no time limit on the use of emergency stationary ICE in emergency situations. [40 CFR 60.4211(f)(1)]

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

- ii. The permittee may operate the emergency stationary ICE for the purpose specified in 40 CFR 60.4211(f)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 60.4211(f)(3) counts as part of the 100 hours per calendar year allowed by 40 CFR 60.4211(f)(2)
 - (1) Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year. [40 CFR 60.4211(f)(2)(i)]

- iii. Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 60.4211(f)(2). Except as provided in 40 CFR 60.4211(f)(3)(i), the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 60.4211(f)(3)]
 - (1) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: [40 CFR 60.4211(f)(3)(i)]
 - (a) The engine is dispatched by the local balancing authority or local transmission and distribution system operator; [40 CFR 60.4211(f)(3)(i)(A)]

 - (b) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. [40 CFR 60.4211(f)(3)(i)(B)]

 - (c) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. [40 CFR 60.4211(f)(3)(i)(C)]

 - (d) The power is provided only to the facility itself or to support the local transmission and distribution system. [40 CFR 60.4211(f)(3)(i)(D)]

 - (e) The permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system

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

operator may keep these records on behalf of the permittee. [40 CFR 60.4211(f)(3)(i)(E)]

2. Emission Limitations:

- a. For each engine, the permittee must comply with the emission standards for new nonroad CI engines in 40 CFR 60.4202, for all pollutants, for the same model year and maximum engine power. CI ICE. [40 CFR 60.4205(b)]

Compliance Demonstration Method:

Compliance shall be demonstrated by either:

- a. Purchasing an engine certified to the emission standards in 40 CFR 60.4205(b) for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted by 40 CFR 60.4211(g). [40 CFR 60.4211(c)]
 - b. For engines greater than or equal to 100 HP and less than or equal to 500 HP, the permittee must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after the permittee changes emission-related settings in a way that is not permitted by the manufacturer. [40 CFR 60.4211(g)(2)]
 - c. For engines greater than 500 HP, the permittee must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the permittee must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after the permittee must change emission-related settings in a way that is not permitted by the manufacturer. The permittee must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards. [40 CFR 60.4211(g)(3)]
- b. The permittee shall operate and maintain stationary CI ICE that achieve the emission standards as required in 40 CFR 60.4205 over the entire life of the engine. [40 CFR 60.4206]

3. Testing Requirements:

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:

- a. The permittee shall monitor the hours of operation of each engine on a monthly basis. [401 KAR 52:030]
- b. If the emergency stationary CI internal combustion engine does not meet the standards applicable to non-emergency engines, the permittee must install a non-resettable hour meter prior to startup of the engine. [40 CFR 60.4208(a)]

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain record of the hours of operation of each engine on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee is not required to submit an initial notification. Starting with the model years in table 5 to 40 CFR 60, Subpart IIII, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the permittee must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The permittee must record the time of operation of the engine and the reason the engine was in operation during that time. [40 CFR 60.4214(b)]
- c. If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the permittee must keep records of any corrective action taken after a backpressure monitor has notified the owner or operator the high backpressure limit of the engine is approached. [40 CFR 60.4214(c)]

6. Specific Reporting Requirements:

- a. If the emergency stationary CI Ice with a maximum engine power more than 100 HP operates for the purpose specified in 40 CFR 60.4211(f)(3)(I), the permittee must submit an annual report according to the requirements in 40 CFR 60.4214(d)(1) through (3). [04 CFR 60.4214(d)]
- b. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements** for general reporting requirements.

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

Emission Unit 14 Seventeen (17) Natural Gas-fired Emergency Generator Engines

Description:

17 natural gas-fired existing emergency generator engines. Total power capacity of 1,263 kW.

Description	Construction Commenced	Power Output (kW)
Cravens Graduate Center	1971	75
Potter Hall	1991	20
Preston Health Center	1992	60
Gilbert Hall	1999	19
Wetherby Hall	1999	100
University Police	2000	25
Grise Hall	2001	20
Southwest Hall	2001	30
Northeast Hall	2001	30
McLean Hall	2002	19
Bates-Runner Hall	2002	20
Eng & Bio Science	2003	350
ICSET	2004	175
Pearce-Ford Tower - NG	2004	100
Innovation Center #2	2005	175
Cherry Hall	2005	15
Parking Structure #2	2005	30

STATE-ORIGIN REQUIREMENT:

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

PRECLUDED REGULATION:

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

1. Operating Limitations:

- a. 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 paragraphs 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) to preclude the requirements of 40 CFR 63, Subpart ZZZZ]
 - i. There is no time limit on the use of emergency stationary RICE in emergency situations. [40 CFR 63.6640(f)(1)]

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

- ii. The emergency stationary RICE may be operated 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)]
 - (1) 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)]
- iii. 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 provided in 40 CFR 63.6640(f)(2). 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) to preclude the requirements of 40 CFR 63, Subpart ZZZZ]

2. Emission Limitations:

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:

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 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:

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

5. Specific Recordkeeping Requirements:

- a. The permittee shall maintain records the hours of operation of each engine on a monthly basis. [401 KAR 52:030, Section 10]
- b. The permittee shall document how many hours are spent for emergency operation, including what classified the operation as an emergency, and how many hours are spent for non-emergency operation. [401 KAR 52:030, Section 10]

6. Specific Reporting Requirements:

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

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, 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. Dark Rooms	N/A
2. Wood Shop	401 KAR 59:010
3. Print Shop	401 KAR 59:010
4. Lab Hoods	N/A
5. Degreaser	401 KAR 59:185
6. Ceramic Burner	401 KAR 63:020
7. 2 Sculpture Burners	401 KAR 63:020
8. Diesel Storage Tanks	401 KAR 63:010
9. Paint Spray Booth	401 KAR 59:010
10. Biodiesel Pilot Lab	401 KAR 59:010, 401 KAR 63:020
11. Ceramics Studio Spray Booth	401 KAR 59:010
12. Wood Kiln	401 KAR 59:010
13. 43 Natural Gas-Fired Indirect Heat Exchangers rated <1 MMBtu/hr, Total Heat Input Capacity of 18.73 MMBtu/hr	N/A

Description	Construction Commenced	Heat Input (MMBtu/hr)
The Visitor Center	1989	0.076
Thompson North Wing	2007	0.076
J.T. Gilbert Hall	2000	0.8
Health Services	2007	0.065
Health Services	2007	0.065
South Campus	2007	0.75
Schneider Hall	2007	0.4
Schneider Hall	2007	0.4
Baseball Clubhouse #1	2009	0.1
Baseball Clubhouse #2	2009	0.1
Baseball Clubhouse #3	2009	0.1
Music Hall Humidifier	2011	0.42
Music Hall Boiler	2011	0.5
Music Hall Water Heater	2011	0.125
WKU Farm	2011	0.25

SECTION C - INSIGNIFICANT ACTIVITIES

Description	Construction Commenced	Heat Input (MMBtu/hr)
Downing Univ. Center	2013	0.8
Downing Univ Center	2013	0.8
Honors/International Center	2015	0.8
Honors/International Center	2015	0.8
Honors/International Center	2015	0.8
Meredith Hall	2017	0.75
Ogden Hall	2017	0.2
Ogden Hall	2017	0.2
Ogden Hall	2017	0.2
Schneider Hall	2016	0.5
Schneider Hall	2016	0.5
Engineering & Biological Sciences Bldg	2016	0.2
Zacharias Hall	2017	0.75
South Campus #3	2017	0.9
South Campus #4	2017	0.9
6AN	2016	0.2
Commons	2021	0.6
Commons Water Heater #1	2021	0.2
Commons Water Heater #2	2021	0.2
Commons Water Heater #3	2021	0.2
East Hall 6AI	2022	0.5
East Hall 6AJ	2022	0.5
South Hall	2022	0.5
South Hall	2022	0.5
North Hall	2022	0.5
North Hall	2022	0.5
West Hall	2022	0.5
West Hall	2022	0.5

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

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Particulate matter, opacity, and sulfur dioxide 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. Total source-wide emissions of nitrogen oxides (NO_x) shall not exceed 90 tons per year, based on a twelve-month rolling total. [To preclude 401 KAR 52:020 and 401 KAR 51:017].

Compliance Demonstration:

To demonstrate compliance with the source-wide emission limits on nitrogen oxides, the permittee shall calculate NO_x emissions on a monthly basis and maintain a 12-month rolling total of source-wide NO_x emissions (from all units in Section B and Section C). NO_x emissions shall be calculated according to the following equations for each emission unit:

For Emission units 04, 05 and 07:

$$NO_x \text{ Emissions} \left(\frac{\text{Tons}}{\text{month}} \right) = NG \left(\frac{\text{MMscf}}{\text{Month}} \right) \times EF \left(\frac{\text{lb NO}_x}{\text{MMscf}} \right) \times \frac{1 \text{ Ton}}{2000 \text{ lb}}$$

Where:

NO_x Emissions = Emissions of nitrogen oxides from each emission unit each month

NG = Natural gas usage in the emission unit each month

EF = NO_x emission factor for the emission unit

For Emission units 10, 11 and 14:

$$NO_x \text{ Emissions} \left(\frac{\text{Tons}}{\text{month}} \right) = H \left(\frac{\text{Hours}}{\text{Month}} \right) \times C \left(\frac{\text{MMscf}}{\text{Hour}} \right) \times EF \left(\frac{\text{lb NO}_x}{\text{MMscf}} \right) \times \frac{1 \text{ Ton}}{2000 \text{ lb}}$$

Where:

NO_x Emissions = Emissions of nitrogen oxides from each emission unit each month

H = Hours of operation of the emission unit each month

C = Fuel consumption rate of the emission unit

EF = NO_x emission factor for the emission unit

For Emission units 06 and 09, and Insignificant Activities:

$$NO_x \text{ Emissions} \left(\frac{\text{Tons}}{\text{month}} \right) = NG \left(\frac{\text{MMscf}}{\text{Month}} \right) \times EF \left(\frac{\text{lb NO}_x}{\text{MMscf}} \right) \times \frac{1 \text{ Ton}}{2000 \text{ lb}}$$

Where:

NO_x Emissions

= Emissions of nitrogen oxides from emission units 06,09 and IA each month

NG = Total natural gas usage in emission units 06,09 and IA each month*

EF = NO_x emission factor for emission units 06,09 and IA

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

$$*NG = NG_{SourceWide} - (NG_{04} + NG_{05} + NG_{07} + H_{10} \times C_{10} + H_{11} \times C_{11} + H_{14} \times C_{14})$$

Where:

$NG_{SourceWide}$ = Source wide natural gas usage each month

NG_n = Natural gas usage in emission unit n each month

H_n = Hours of operation of emission unit n each month

C_n = Fuel capacity of emission unit n each month

For Emission units 12 and 13:

$$NO_x \text{ Emissions} \left(\frac{\text{Tons}}{\text{month}} \right) = H \left(\frac{\text{Hours}}{\text{Month}} \right) \times C \left(\frac{1000 \text{ gal}}{\text{Hour}} \right) \times EF \left(\frac{\text{lb } NO_x}{1000 \text{ gal}} \right) \times \frac{1 \text{ Ton}}{2000 \text{ lb}}$$

Where:

$NO_x \text{ Emissions}$ = Emissions of nitrogen oxides from each emission unit each month

H = Hours of operation of the emission unit each month

C = Fuel consumption rate of the emission unit

EF = NO_x emission factor for the emission unit

Emission Unit	Accepted NO_x Emission Factor
04, 05,	36 lb/MMscf
10, 11, 14,	4161.60 lb/MMscf
06, 07, 09, IA	100 lb/MMscf
12-01, 13-01, engines \leq 600 hp	604.17 lb/1000 gal
12-02, 13-02, engines $>$ 600 hp	438.4 lb/1000 gal

4. Total source-wide emissions of carbon monoxide (CO) shall not exceed 90 tons per year, based on a twelve-month rolling total. [To preclude 401 KAR 52:020 and 401 KAR 51:017].

Compliance Demonstration:

To demonstrate compliance with the source-wide emission limits on carbon monoxide, the permittee shall calculate CO emissions on a monthly basis and maintain a 12-month rolling total of source-wide CO emissions (from all units in Section B and Section C). CO emissions shall be calculated according to the following equations for each emission unit:

For Emission units 04, 05 and 07:

$$CO \text{ Emissions} \left(\frac{\text{Tons}}{\text{month}} \right) = NG \left(\frac{\text{MMscf}}{\text{Month}} \right) \times EF \left(\frac{\text{lb CO}}{\text{MMscf}} \right) \times \frac{1 \text{ Ton}}{2000 \text{ lb}}$$

Where:

$CO \text{ Emissions}$ = Emissions of carbon monoxide from each emission unit each month

NG = Natural gas usage in the emission unit each month

EF = CO emission factor for the emission unit

For Emission units 10, 11 and 14:

$$CO \text{ Emissions} \left(\frac{\text{Tons}}{\text{month}} \right) = H \left(\frac{\text{Hours}}{\text{Month}} \right) \times C \left(\frac{\text{MMscf}}{\text{Hour}} \right) \times EF \left(\frac{\text{lb CO}}{\text{MMscf}} \right) \times \frac{1 \text{ Ton}}{2000 \text{ lb}}$$

Where:

$CO \text{ Emissions}$ = Emissions of carbon monoxide from each emission unit each month

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

H = Hours of operation of the emission unit each month

C = Fuel capacity of the emission unit

EF = CO emission factor for the emission unit

For Emission units 06 and 09, and Insignificant Activities:

$$CO\ Emissions\ \left(\frac{Tons}{month}\right) = NG\ \left(\frac{MMscf}{Month}\right) \times EF\ \left(\frac{lb\ CO}{MMscf}\right) \times \frac{1\ Ton}{2000\ lb}$$

Where:

CO Emissions

= Emissions of carbon monoxide from emission units 06,09 and IA each month

*NG = Total natural gas usage in emission units 06,09 and IA each month**

EF = CO emission factor for emission units 06,09 and IA

$$*NG = NG_{Source\ Wide} - (NG_{04} + NG_{05} + NG_{07} + H_{10} \times C_{10} + H_{11} \times C_{11} + H_{14} \times C_{14})$$

Where:

NG_{Source Wide} = Source wide natural gas usage each month

NG_n = Natural gas usage in emission unit n each month

H_n = Hours of operation of emission unit n each month

C_n = Fuel capacity of emission unit n each month

For Emission units 12 and 13:

$$CO\ Emissions\ \left(\frac{Tons}{month}\right) = H\ \left(\frac{Hours}{Month}\right) \times C\ \left(\frac{1000\ gal}{Hour}\right) \times EF\ \left(\frac{lb\ CO}{1000\ gal}\right) \times \frac{1\ Ton}{2000\ lb}$$

Where:

CO Emissions = Emissions of carbon monoxide from each emission unit each month

H = Hours of operation of the emission unit each month

C = Fuel capacity of the emission unit

EF = CO emission factor for the emission unit

Emission Unit	Accepted CO Emission Factor
04, 05,	74 lb/MMscf
10, 11, 14	323.34 lb/MMscf
06, 07, 09, IA	84 lb/MMscf
12-01, 13-01, engines ≤600 hp	130.15 lb/1000 gal
12-02, 13-02, engines > 600 hp	116.45 lb/1000 gal

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, Bowling Green Regional Office, 2642 Russellville Road, Bowling Green, KY 42101.
10. In accordance with 401 KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within 30 days of the date the Kentucky Emissions Inventory System (KYEIS) emissions survey is mailed to the permittee. If a KYEIS emissions survey is not mailed to the permittee, then the permittee shall comply with all other emissions reporting requirements in this permit.
11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - (1) The size and location of both the original and replacement units; and
 - (2) Any resulting change in emissions;
 - b. The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
 - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
 - d. The replacement unit shall comply with all applicable requirements; and
 - e. The source shall notify Regional office of all shutdowns and start-ups.
 - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
 - (1) Re-install the original unit and remove or dismantle the replacement unit; or
 - (2) Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

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

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

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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

2. Permit Expiration and Reapplication Requirements

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

3. Permit Revisions

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

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

No construction is authorized by this permit (F-23-037).

5. Testing Requirements

- a. Pursuant to 401 KAR 50:045, Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.
- b. Pursuant to 401 KAR 50:045, Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.
- c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

6. Acid Rain Program Requirements

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

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 (CONTINUED)

N/A

SECTION I - COMPLIANCE SCHEDULE

N/A