P. B.

Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

Conditional Major
AIR QUALITY PERMIT

Permittee Name:	**Minova USA Inc.**
Mailing Address:	**Minova USA Inc.** **150 Carley Ct.** **Georgetown, Kentucky 40324**
Source Name:	**Minova USA Inc.**
Mailing Address:	**Minova USA Inc.** **150 Carley Ct.** **Georgetown, Kentucky 40324**
Source Location:	**same as above**
Permit Type:	**Federally-Enforceable**
Permit #:	**F-02-004**
Log Number :	**54321**
Review Type:	**Construction, Conditional Major**
KYEIS ID #:	**21-209-00017**
SIC Code:	**3087**
Regional Office:	**643 Teton Trail, Suite B** **Frankfort, KY 40601** **(502) 564-3358**
County:	**Scott**
Application Complete Date:	**February 5, 2002**
Issuance Date:	**August 27, 2003**
Expiration Date:	**August 27, 2008**

John S. Lyons, Director
Division for Air Quality

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Rev #	Permit type	Log #	Complete Date	Issuance Date	Summary of Action
----	Initial Issuance	54321	02/05/02	08/27/03	Proposed new construction Relocated the Emission Point units

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction and operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted 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 this Cabinet or any other federal, state, or local agency.

SECTION B - AFFECTED FACILLITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

EP 01 **Polyester Resin Cartridge Production (Mixing operation)**

- Four (4) Mastic Mixers
- Three (3) Catalyst Paste Mixers
- Bulk powder conveying system
- Drum-filling station (drum hood)

Description: Raw materials are mixed, blended, and transferred into holding hoppers. The mixture is then pumped into the cartridge production units (ILU) which extrude the mastic and paste into a plastic film tubes (cartridges).

MP (1,2,3,4) Ross/Walsh 75 Planetary Mixers
Installed in 1981
Maximum capacity: 3875 lbs/hr/each mixer

MP5:Ross/Walsh CDM80 Planetary Mixer
Installed in May, 1981
Maximum capacity: 1260 lbs/hr

MP 8: Sprout-Walden 60ft^3 Ribbon Mixer
Installed in September, 1981
Maximum capacity: 5025 lbs/hr

MP 9: Robinson 110ft^3 Paddle Mixer
Installed in November, 1994
Maximum capacity: 8790 lbs/hr

MP 16 Bulk powder conveying system
Installed in March, 2001
Maximum capacity: 35,000 lbs/hr

MP36: Drum-Filling Station (drum hood)
Installed in May, 1998
Maximum capacity: 450 lbs/hr

Control Equipment:

- Dust Control Equipment, Walsh Manufacturing 388X D.A Baghouse Collector (Dust Collector)
- Gas Flow Rate: 1,625 cfm.
- Control Efficiency: 99.8%.

APPLICABLE REGULATIONS: 401 KAR 59:010, New process operations, applies to the particulate matter emissions from affected facilities constructed after July 2, 1975.

1. **Operating Limitations:**

   The usage rate of materials used in all affected facilities shall be limited so as not to exceed the emission limitations in section B(2) below.

2. **Emission Limitations:**

   A. Visible emissions shall not equal or exceed 20% opacity.
   401 KAR 59:010, Section 3(1)(b).

   B. Particulate emissions shall not equal or exceed 12.76 lbs/hr.
   401 KAR 59:010, Section 3(2).

   C. See plantwide Styrene Emission Limitations in Section D.

SECTION B - AFFECTED FACILLITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

2. **Emission Limitations (continued):**

Compliance Demonstration Method

The above mentioned emission units shall be operated only when the baghouse dust collector is operating properly to control particulate emissions. These affected facilities are assumed to be in compliance with the particulate matter mass emissions limits as long as the baghouse dust collector is operating properly.

3. **Testing Requirements:**

Pursuant to 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 4, performance testing using the Reference Methods specified in 401 KAR 50:015 shall be conducted as required by the Division.

4. **Specific Monitoring Requirements:**

Pressure drop across the dust collector bags shall be monitored daily.

5. **Specific Recordkeeping Requirements:**

A. See plantwide Styrene Recordkeeping Requirements in Section D.
B. The date of each dust collector bag replacement shall be recorded.
C. Minimum pressure drop indicating a need for dust collector bag replacement shall be recorded.

6. **Specific Reporting Requirements:**

A. See plantwide Styrene Report Requirements in Section D.
B. The permittee shall report dates when dust collector bags are replaced and the highest pressure drop observed for the set of collector bags as specified in Section F.5.
C. See Section F.6, F.7, and F.8 for additional reporting requirements.

7. **Specific Control Equipment Operating Conditions:**

The baghouse dust collector shall be operated and maintained according to manufacturer's specifications. See also Source Control Equipment Requirements in Section E.

SECTION B - AFFECTED FACILLITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 02 **Cement Grout Production (including Liquid Mix Production)**

- Three (3) Powder blending
- One (1) Liquid mixer
- One (1) Weigh out station for small raw material additions

Description: Raw materials are mixed and blended to produce cementitious grouts, which are then packaged in bags. For liquid mix production, raw materials are mixed to produce polyester resin mastic which is packaged in cans.

3 Powder blending	MP 7 Marion 100 ft3 Paddle Mixer Installed in September, 1981 Maximum capacity: 6200 lbs/hr	
	MP22 Marion 200ft3 Paddle Mixer Installed in June, 1986 Maximum capacity: 12,400 lbs/hr	MP33 Munson 700-75 75ft3 Installed in March, 2001 Maximum capacity: 2150 lbs/hr
One Liquid mixer	MP 13 Schold Hi-shear Installed in August, 1983 Maximum capacity: 755 lbs/hr	
MP31	Weigh out station for small raw material additions Installed in January, 1994 Maximum capacity: 450 lbs/hr	

Control Equipment:

- Dust Control Equipment, Walsh Manufacturing 388X D.A Baghouse Collector (Dust Collector)
- Gas Flow Rate: 2,400 cfm.
- Control Efficiency: 99.8%.

APPLICABLE REGULATIONS: 401 KAR 59:010, New process operations, applies to the particulate matter emissions from affected facilities constructed after July 2, 1975.

1. **Operating Limitations:**
   The usage rate of materials used in all affected facilities shall be limited so as not to exceed the emission limitations in section B(2) below.

2. **Emission Limitations:**
   A. Visible emissions shall not equal or exceed 20% opacity.
   401 KAR 59:010, Section 3(1)(b).

   B. Particulate emissions shall not equal or exceed 15.29 lbs/hr.
   401 KAR 59:010, Section 3(2).

   C. See plantwide Styrene Emission Limitations in Section D.

SECTION B - AFFECTED FACILLITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

2. Emission Limitations (continued):

Compliance Demonstration Method:

The above mentioned emission units shall be operated only when the baghouse dust collector is operating properly to control particulate emissions. These affected facilities are assumed to be in compliance with the particulate matter mass emissions limits as long as the baghouse dust collector is operating properly.

3. Testing Requirements:

Pursuant to 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 4, performance testing using the Reference Methods specified in 401 KAR 50:015 shall be conducted as required by the Division.

4. Specific Monitoring Requirements:

Pressure drop across the dust collector bags shall be monitored daily.

5. Specific Recordkeeping Requirements:

A. See plantwide Styrene Recordkeeping Requirements in Section D.
B. The date of each dust collector bag replacement shall be recorded.
C. Minimum pressure drop indicating a need for dust collector bag replacement shall be recorded.

6. Specific Reporting Requirements:

A. See plantwide Styrene Report Requirements in Section D.
B. The permittee shall report dates when dust collector bags are replaced and the highest pressure drop observed for the set of collector bags as specified in Section F.5.
C. See Section F.6, F.7, and F.8 for additional reporting requirements.

7. Specific Control Equipment Operating Conditions:

The baghouse dust collector shall be operated and maintained according to manufacturer's specifications. See also Source Control Equipment Requirements in Section E.

SECTION B - AFFECTED FACILLITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 03 **Two (2) Limestones Handling System**

Description:

- MP11 One (1) 2000 ft^3 Silo with 254 CFM Dust Collector installed in April, 1983. Control efficiency: 99.8%
- MP35 One (1) 2000 ft^3 Silo with 1,176 CFM Modular Cartridge Vent Filters. Proposed to install in May 2002. Control efficiency: 99.9%

APPLICABLE REGULATIONS: 401 KAR 59:010, New process operations, applies to the particulate matter emissions from affected facilities constructed on or after July 2, 1975.

1. **Operating Limitations:**
   The usage rate of materials used in all affected facilities shall be limited so as not to exceed the emission limitations in section B(2) below.

2. **Emission Limitations:**

   A. Visible emissions shall not equal or exceed 20% opacity.
   401 KAR 59:010, Section 3(1)(b).

   B. Particulate emissions shall not equal or exceed 14.97 lbs/ hour.
   401 KAR 59:010, Section 3(2).

Compliance Demonstration Method:

The above mentioned emission units shall be operated only when the dust collector is operating properly to control particulate emissions. These affected facilities are assumed to be in compliance with the particulate matter mass emissions limits as long as the dust collector is operating properly.

3. **Testing Requirements:**
   Pursuant to 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 4, performance testing using the Reference Methods specified in 401 KAR 50:015 shall be conducted as required by the Division.

4. **Specific Monitoring Requirements:**
   A. Pressure drop across the dust collectors and/or filters shall be monitored daily.

5. **Specific Recordkeeping Requirements:**
   A. The date of each dust collector bag and/or filters replacement shall be recorded.
   B. Minimum pressure drop indicating a need for dust collector bag and/or filter replacement shall be recorded.

SECTION B - AFFECTED FACILLITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. **Specific Reporting Requirements:**
   A. The permittee shall report dates when dust collector bags and/or filters are replaced and the highest pressure drop observed for the set of collector bags and/or the set of filters.
   B. See Section F.6, F.7, and F.8 for additional reporting requirements.

7. **Specific Control Equipment Operating Conditions:**
   The dust collector shall be operated and maintained according to manufacturer's specifications. See also Source Control Equipment Requirements in Section E.

SECTION B - AFFECTED FACILLITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 13 **Air Sealant Production**

- MP 26 one (1) liquid mixer (Hockmeyer 80ft^3 Paddle Mixer)
- MP 30 one (1) liquid mixer (Marion 4050 100ft^3 Paddle Mixer)

Description: Raw materials are mixed and blended to produce air sealant which is then packaged in pails.

MP 26
Maximum capacity: 5,400 lbs mixture/hr
Installed in July 1988.

MP 30
Maximum capacity: 6300 lbs mixture/hr
Installed in August 1991

Control Equipment:

- Dust Control Equipment, F.A Walsh Dust Arrestor 2245 Baghouse Collector (Dust Collector)
- Gas Flow Rate: 800 cfm.
- Filter area: 400ft^2
- Control Efficiency: 99.0%.

Applicable Regulations:
401 KAR 59:010, New process operations, applies to the particulate matter emissions from affected facilities constructed on or after July 2, 1975.

1. **Operating Limitations:**
The usage rate of materials used in all affected facilities shall be limited so as not to exceed emission limitations in section B(2) below.

2. **Emission Limitations:**

A. Visible emissions shall not equal or exceed 20% opacity.
401 KAR 59:010, Section 3(1)(b).

B. Particulate emissions shall not equal or exceed 10.73 lbs/hour.
401 KAR 59:010, Section 3(2).

Compliance Demonstration Method:
The above mentioned emission units shall be operated only when the baghouse dust collector is operating properly to control particulate emissions. These sources are assumed to be in compliance with the particulate matter mass emissions limits as long as the baghouse dust collector is operating properly.

3. **Testing Requirements:**
Pursuant to 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 4, performance testing using the Reference Methods specified in 401 KAR 50:015 shall be conducted as required by the Division.

SECTION B - AFFECTED FACILLITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

4. **Specific Monitoring Requirements:**
   Pressure drop across the dust collector bags shall be monitored daily.

5. **Specific Recordkeeping Requirements:**
   A. The date of each dust collector bag replacement shall be recorded.
   B. Minimum pressure drop indicating a need for dust collector bag replacement shall be recorded.

6. **Specific Reporting Requirements:**
   A. The permittee shall report dates when dust collector bags are replaced and the highest pressure drop observed for the set of collectors bags as specified in Section F.5.
   B. See Section F.6, F.7, and F.8 for additional reporting requirements.

7. **Specific Control Equipment Operating Conditions:**
   The baghouse dust collector shall be operated and maintained according to manufacturer's specifications. See also Source Control Equipment Requirements in Section E.

SECTION B - AFFECTED FACILLITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 14 **Slag bulk Handling System**

Description: 2,500 ft^3 Storage Silo with 254 CFM dust collector.
Installed in November 1999.

Control Equipment:

- Dust Control Equipment, Ultra Industries BB165811G (Dust Collector).
- Gas Flow Rate: 400-500 cfm.
- Filter area: 115ft^2
- Control Efficiency: 99.9%.

Applicable Regulations:

401 KAR 59:010, New process operations, applies to the particulate matter emissions from affected facilities constructed on or after July 2, 1975.

1. **Operating Limitations:**

The usage rate of materials used in all affective facilities shall be limited so as not to exceed the emission limitations in section B(2) below.

2. **Emission Limitations:**

A. Visible emissions shall not equal or exceed 20% opacity.
401 KAR 59:010, Section 3(1)(b).

B. Particulate emissions shall not equal or exceed 12.5 lbs/hour.
401 KAR 59:010, Section 3(2).

Compliance Demonstration Method:

The above mentioned emission units shall be operated only when the baghouse dust collector is operating properly to control particulate emissions. These sources are assumed to be in compliance with the particulate matter mass emissions limits as long as the baghouse dust collector is operating properly.

3. **Testing Requirements:**

Pursuant to 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 4, performance testing using the Reference Methods specified in 401 KAR 50:015 shall be conducted as required by the Division.

4. **Specific Monitoring Requirements:**

Pressure drop across the dust collector bags shall be monitored daily.

5. **Specific Recordkeeping Requirements:**

A. The date of each dust collector bag replacement shall be recorded.
B. Minimum pressure drop indicating a need for dust collector bag replacement shall be recorded.

SECTION B - AFFECTED FACILLITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

6. **Specific Reporting Requirements:**
   A. The permittee shall report dates when dust collector bags are replaced and the highest pressure drop observed for the set of collector bags as specified in Section F.5.
   B. See Section F.6, F.7, and F.8 for additional reporting requirements.

7. **Specific Control Equipment Operating Conditions:** The baghouse dust collector shall be operated and maintained according to manufacturer's specifications. See also Source Control Equipment Requirements in Section E.

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. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

Description	Generally Applicable Regulation
EP15 Polyester Resin Storage Tank Tank capacity: 12,000 gallons Installed in May 1981	N/A

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

Styrene Emission Limitations:
The plantwide emissions of styrene shall not exceed nine (9) tons for any consecutive twelve (12) month period. The source has elected to accept limits to preclude the requirement of a Regulation 401 KAR 52:020, Title V permits.

Compliance Demonstration Method:

Monthly styrene emission = $\sum\{[(0.000369 \text{ lbs of styrene emissions}) \times (\text{lbs of mastic produced})] + [(0.001366 \text{ lbs of styrene emissions}) \times (\text{lbs of liquid mix mastic produced})]\}$

Specific Recordkeeping Requirements:

1. Monthly records of mastic and liquid mix mastic produced.
2. A rolling 12 months summary for each month, showing tons of styrene emitted.
3. All records shall be retained for a period of five years.
4. See Section F for additional recordkeeping requirements.

Specific Reporting Requirements:

1. A rolling 12 month summary for each month, showing tons of styrene emitted.
2. See Section F.6, F.7, and F.8 for additional reporting requirements.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. 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.

2. All the air pollution control systems shall be maintained regularly in accordance with good engineering practices and recommendations of the respective manufacturers.

3. The permittee shall inspect the condition of the bags in each baghouse and/or filters in each filter unit at least once every six months and replace any defective bags and/or filters as quickly as practicable after discovery of the need for replacement. Replacement bags and/or filters shall be maintained at all times on the premises of the source.

4. The permittee shall develop and maintain an operation manual for all control devices. The manual shall be modified as necessary to reflect changes in equipment, manufacturer specifications, and the operating history of the devices. Operators of the control devices shall receive training on proper operation and maintenance of the control devices upon employment, upon modification of the manual, and at least annually.

5. Once per week when each unit is operating, the permittee shall survey the emissions associated with each baghouse and/or filter discharge stack for visible emissions and maintain a log noting the following information:
   (1) Whether any air emissions were visible from the emission unit;
   (2) All emission points from which visible emissions were observed;
   (3) Whether the visible emissions were normal for the respective emissions unit.

   If no visible emissions are observed then no further monitoring is required. If visible emissions are observed, the permittee shall perform one of the following:
   i. The permittee shall perform a Method 9 reading for emission points of concern. The opacity observed shall be recorded in the log. The reading shall be performed by a representative of the permittee certified in Visible Emissions Evaluations. The permittee shall maintain a list of all individuals that are certified Visible Emissions Evaluators and the date of certification; or
   ii. The permittee shall observe and record in the log the following information:
      (1) The color of the emissions;
      (2) Whether the emissions were light or heavy;
      (3) The total duration of the visible emission incident;
      (4) The cause of the abnormal emissions; and
      (5) Any corrective actions taken.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS (C0NTINUED)

6. The permittee shall maintain a written log of the daily pressure drop and make said log available for inspection by Division personnel upon request. The log shall indicate the name or initials of the person performing the pressure drop monitoring.

7. Visual checks, inspection results, bag and/or filter replacement, and operator training shall be recorded in an operating log which shall be kept current at all times.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)(1) of the materials incorporated by reference in 401 KAR 52:030 Section 10, 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. Pursuant to Section 1b (IV)(1) of the materials incorporated by reference in 401 KAR 52:030 Section 10, records of all required monitoring data, support information (including calibrations, maintenance records, and original strip chart recordings), and reports required by the Division for Air Quality shall be retained by the permittee for a period of five years. In accordance with Section 1a (7) of the materials incorporated by reference in 401 KAR 52:030 Section 10 and 401 KAR 52:030 Section 3(1)(f)1a, these records shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality.

3. In accordance with the requirements of 401KAR 52:030 Section 3(1)(f) the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
   a. Access and copy any records required by this permit, enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation; and
   b. Sample or monitor substances or parameters that affect compliance with the permit or any applicable requirements.

   Reasonable times include all hours of operation, normal office hours, and 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, other than continuous emission or opacity monitors, 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.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due 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. All deviations from permit requirements shall be clearly identified in the reports.

7 In accordance with the provisions of 401KAR 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 cause written notice upon request.

8 Pursuant to Section 1b V(3) and (4) of the material incorporated by reference in 401 KAR 52:030 Section 10, the owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.5.

9 Pursuant to 401KAR 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 approved alternative) to the Regional Office listed on the front of this permit in accordance with the following requirements:

a. Identification of each term or condition of the permit that is the basis of the certification;

b. The compliance status regarding each term or condition of the permit;

c. Whether compliance was continuous or intermittent; and

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 year 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.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

f. The certification shall be postmarked by January 30th of each year. **Annual compliance certifications should be mailed to the following addresses:**

Division for Air Quality **Frankfort Regional Office** **643 Teton Trail, Suite B** **Frankfort, KY 40601**	**Division for Air Quality** **Central Files** **803 Schenkel Lane** **Frankfort, KY 40601**

10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee. If a KEIS emission report is not mailed to the permittee, comply with all other emission reporting requirements in this permit.

11. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by 401KAR 50:016, Section 1(1), 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 after the completion of the fieldwork.

12. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
    a. The owner or operator shall submit to the cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
        i. The size and location of both the original and replacement units; and
        ii. Any resulting change in emissions;
    b. The 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:
        i. Re-install the original unit and remove or dismantle the replacement unit; or
        ii. Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS

(a) General Compliance Requirements

1. 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 is also 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 materials incorporated by reference in 401 KAR 52:030 Section 10]

2. Notification by the permittee of a planned change or anticipated noncompliance, or filing of a request for any permit revision, reissuance, or rescission shall not stay any permit condition. [Section 1a (5) of the materials incorporated by reference in 401 KAR 52:030 Section 10]

3. Pursuant to Section 1a (2) of the materials incorporated by reference in 401 KAR 52:030 Section 10, 401 KAR 52:030 Section 7(3), and 401 KAR 50:060 Section 2, 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:
   a. 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 401KAR 52:030 Section 12;
   b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
   c. 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.

4. The permittee shall furnish upon request information requested by the division to determine compliance with the permit or to determine if cause exists for modifying, revoking and reissuing, or terminating the permit. [Sections 1a (6) and (7) of the materials incorporated by reference in 401 KAR 52:030 Section 10]

SECTION G - GENERAL PROVISIONS (CONTINUED)

5. 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)]

6. 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 materials incorporated by reference in 401 KAR 52:030 Section 10]

7. 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 materials incorporated by reference in 401 KAR 52:030 Section 10]

8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States. [Section 1a (12)(b) of the materials incorporated by reference in 401 KAR 52:030 Section 10]

9. 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 materials incorporated by reference in 401 KAR 52:030 Section 10]

10. 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)]

11. This permit does not convey property rights or exclusive privileges. [Section 1a (8) of the materials incorporated by reference in 401 KAR 52:030 Section10]

12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.

13. 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.

14. 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.

15. Permit Shield – 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:
    (a) Applicable requirements that are included and specifically identified in this permit; and
    (b) Non-applicable requirements expressly identified in this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)

16. 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)]

17. 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)]

18. All previously issued construction and operating permits are hereby subsumed into this permit.

(b) Permit Expiration and Reapplication Requirements

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 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].

(c) Permit Revisions

1. 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 SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14 (2).

2. 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.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

EP 03 (MP35) Limestones Bulk Handling System and attached dust collector.

1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)

2. Within thirty (30) days following completion and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the Division's Frankfort Central Office, notification of the following:

   a. The date when construction commenced.
   b. The date of start-up of the affected facilities listed in this permit.
   c. The date when the maximum production rate specified in the permit application was achieved.

3. Affected facilities that are not completed in accordance with 401 KAR 52:030 Section 3(2) shall lose the construction and operation authorization granted in this permit. Accordingly:
   a. Construction shall commence no later than 18 months after the date of issue of this permit;
   b. Construction shall not begin and discontinue for 18 months or more unless the construction authorized is approved as a phased project;
   c. Construction shall be completed within 18 months of the scheduled completion date; and
   d. Each phase of a phased construction project shall commence construction within 18 months of the projected and approved commencement date.

   Upon a written request, the Division may extend these time periods if the source shows good cause.

4. Operation of the affected facilities for which construction is authorized by this permit shall not commence until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055, except as provided in Section I of this permit.

5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements.

(e) Acid Rain Program Requirements

1. 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)

(f) Emergency Provisions

1. 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:
   a. An emergency occurred and the permittee can identify the cause of the emergency;
   b. The permitted facility was at the time being properly operated;
   c. 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,
   d. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the division within ten (10) working days of the time when emission limitations were exceeded due to the emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.

2. Notification of the Division does not relieve the source of any other local, state or federal notification requirements.

3. Emergency conditions listed in General Provision G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement. [401 KAR 52:030 Section 23(3)]

4. 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)]

(g) Risk Management Provisions

1. 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:

   RMP Reporting Center
   P.O. Box 3346
   Merrifield, VA, 22116-3346

2. If requested, submit additional relevant information by the Division or the U.S. EPA.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(h) Ozone depleting substances

1. 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:
   a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
   b. 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.
   c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
   d. 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.
   e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
   f. 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.

2. 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.

SECTION H - ALTERNATE OPERATING SCENARIOS

None

SECTION I - COMPLIANCE SCHEDULE

None