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 52:020

Permittee Name:	**East Kentucky Power Cooperative, Inc.**
Mailing Address:	**PO Box 707,** **Winchester, KY 40392**
Source Name:	**John Sherman Cooper Power Station**
Mailing Address:	**State Highway 1247 South** **Burnside, KY**
Source Location:	**State Highway 1247 South, Burnside, KY**
Permit:	**V-18-027**
Agency Interest:	**3808**
Activity:	**APE20180001**
Review Type:	**Title V, Operating**
Source ID:	**21-199-00005**
Regional Office:	**London Regional Office** **875 S. Main Street** **London, KY 40741** **(606) 330-2080**
County:	**Pulaski**
Application Complete Date:	**May 21, 2018**
Issuance Date:	**September 7, 2020**
Expiration Date:	**September 7, 2025**

Rick J. Shewekah

For Melissa Duff, Director
Division for Air Quality

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	Permit type	**Activity#**	**Complete Date**	**Issuance Date**	**Summary of Action**
V-18-027	Renewal	APE20180001	5/21/2018	9/7/2020	Permit 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 has been 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 52:020, Title V Permits.

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 UNITS, EMISSION POINTS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Emissions Unit 01: **Indirect Heat Exchanger (Unit 1)**

Description:	Pulverized Coal-Fired, Dry-Bottom, Wall-Fired Unit
Primary Fuel:	Pulverized Coal
Secondary Fuel:	Wood Waste (up to 3% by weight in blend)
Startup Fuel:	Number Two Fuel Oil
Maximum Continuous Rating:	1,080 MMBtu/hr
Control Devices:	Electrostatic Precipitator (ESP); Low NO_x burners; Dry Flue Gas Desulfurization (DFGD); and Pulse Jet Fabric Filter (PJFF) (DFGD and PJFF shared with Unit 2)
Construction Commenced:	1965; ESP installed 1971 and rebuilt in 1989; Low NO_x burners installed 1993; Duct reroute to DFGD and PJFF completed April 2016

APPLICABLE REGULATIONS:
40 CFR 52, Subpart S, *Kentucky* (BART SIP)
40 CFR Part 64, *Compliance Assurance Monitoring* (For PM)
40 CFR Part 75, *Continuous Emissions Monitoring*
401 KAR 51:240, *Cross-State Air Pollution Rule (CSAPR) NO_x annual trading program* (See Section L)
401 KAR 51:250, *Cross-State Air Pollution Rule (CSAPR) NO_x ozone season group 2 trading program* (See Section L)
401 KAR 51:260, *Cross-State Air Pollution Rule (CSAPR) SO_2 group 1 trading program* (See Section L)
401 KAR 51:160, *NO_x requirements for large utility and industrial boilers*
401 KAR 51:210, *CAIR NO_x annual trading program* (See Section K)
401 KAR 51:220, *CAIR NO_x ozone season trading program* (See Section K)
401 KAR 51:230, *CAIR SO_2 trading program* (See Section K)
401 KAR 52:060, *Acid rain permits* (See Section J)
401 KAR 61:015, *Existing indirect heat exchangers*
401 KAR 63:002, Section 2(4)(yyyyy), 40 C.F.R. 63.9980 to 63.10042, Tables 1 to 9, and Appendices A to B (**Subpart UUUUU**), *National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units*

NON-APPLICABLE REGULATIONS:
401 KAR 63:020, *Potentially Hazardous Matter or Toxic Substances*

APPLICABLE CONSENT DECREE:
Consent Decree entered September 24, 2007, Civil Action No. 04-34-KSF
Non-Material Change to Consent Decree filed October 7, 2011, Civil Action No. 04-34-KSF
Terminated by Unopposed Certificate in Support of Conditional Termination of Enforcement through Consent Decree filed on June 16, 2017

1. **Operating Limitations:**
   a. In order to meet 3% alternate fuel usage, wood waste usage shall not exceed 4.3 tons per hour. [To preclude 401 KAR 51:017, Sections 8 to 14]

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

Compliance Demonstration Method:
Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (f)** and **5. Specific Recordkeeping Requirements (b)**.

b. Upon final action by the U.S. EPA designating Pulaski County "unclassifiable/attainment" or "attainment" with the 2010 1-hour SO_2 NAAQS, the permittee shall only burn coal with a sulfur content no greater than 3.3 lb SO_2/MMBtu. [401 KAR 51:010 and 401 KAR 53:010]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (e)** and **5. Specific Recordkeeping Requirements (b)**.

c. The permittee shall conduct periodic performance tune-ups of the EGUs, as specified in 40 CFR 63.10021(e)(1) through (9). Subsequently, the permittee shall perform an inspection of the burner at least once every 36 calendar months unless the EGU employs neural network combustion optimization during normal operations in which case the permittee shall perform an inspection of the burner and combustion controls at least once every 48 calendar months. If the EGU is offline when a deadline to perform the tune-up passes, the tune-up work practice requirements shall be performed within 30 days after the re-start of the affected unit. [40 CFR 63.9991(a)(1) referencing Item 1. Of Table 3 to Subpart UUUUU of Part 63, 40 CFR 63.10006(i), and 40 CFR 63.10021(e)]

i. As applicable, inspect the burner and combustion controls, and clean or replace any components of the burner or combustion controls as necessary upon initiation of the work practice program and at least once every required inspection period. Repair of a burner or combustion control component requiring special order parts may be scheduled as follows: [40 CFR 63.10021(e)(1)]

1. Burner or combustion control component parts needing replacement that affect the ability to optimize NO_x and CO shall be installed within 3 calendar months after the burner inspection. [40 CFR 63.10021(e)(1)(i)]

2. Burner or combustion control component parts that do not affect the ability to optimize NO_x and CO may be installed on a schedule determined by the operator. [40 CFR 63.10021(e)(1)(ii)]

ii. As applicable, inspect the flame pattern and make any adjustments to the burner or combustion controls necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available, or in accordance with best combustion engineering practice for that burner type. [40 CFR 63.10021(e)(2)]

iii. As applicable, observe the damper operations as a function of mill and/or cyclone loading, cyclone and pulverizer coal feeder loadings, or other pulverizer and coal mill performance parameters, making adjustments and effecting repair to dampers, controls, mills, pulverizers, cyclones, and sensors. [40 CFR 63.10021(e)(3)]

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

iv. As applicable, evaluate windbox pressures and air proportions, making adjustments and effecting repair to dampers, actuators, controls, and sensors. [40 CFR 63.10021(e)(4)]

v. Inspect the system controlling the air-to-fuel ratio and ensure that it is correctly calibrated and functioning properly. Such inspection may include calibrating excess O_2 probes and/or sensors, adjusting overfire air systems, changing software parameters, and calibrating associated actuators and dampers to ensure that the systems are operated as designed. Any component out of calibration, in or near failure, or in a state that is likely to negate combustion optimization efforts prior to the next tune-up, should be corrected or repaired as necessary. [40 CFR 63.10021(e)(5)]

vi. Optimize combustion to minimize generation of CO and NO_x. This optimization should be consistent with the manufacturer's specifications, if available, or best combustion engineering practice for the applicable burner type. NO_x optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, adjusting combustion zone temperature profiles, and add-on controls such as SCR and SNCR; CO optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, and adjusting combustion zone temperature profiles. [40 CFR 63.10021(e)(6)]

vii. While operating at full load or the predominantly operated load, measure the concentration in the effluent stream of CO and NO_x in ppm, by volume, and oxygen in volume percent, before and after the tune-up adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). The permittee may use portable CO, NO_x, and O_2 monitors for this measurement. EGUs employing neural network optimization systems need only provide a single pre- and post-tune-up value rather than continual values before and after each optimization adjustment made by the system. [40 CFR 63.10021(e)(7)]

viii. Maintain on-site and submit, if requested by the Administrator, an annual report containing the information in 40 CFR 63.10021(e)(1) through (e)(9) including: [40 CFR 63.10021(e)(8)]

1. The concentrations of CO and NO_x in the effluent stream in ppm by volume, and oxygen in volume percent, measured before and after an adjustment of the EGU combustion systems. [40 CFR 63.10021(e)(8)(i)]

2. A description of any corrective actions taken as a part of the combustion adjustment. [40 CFR 63.10021(e)(8)(ii)]

3. The type(s) and amount(s) of fuel used over the 12 calendar months prior to an adjustment, but only if the unit was physically and legally capable of using more than one type of fuel during that period. [40 CFR 63.10021(e)(8)(iii)]

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

ix. Report the dates of the initial and subsequent tune-ups in hard copy, as specified in 40 CFR 63.10031(f)(5), through June 30, 2020. On or after July 1, 2020, report the date of all tune-ups electronically, in accordance with 40 CFR 63.10031(f). The tune-up report date is the date when tune-up requirements in 40 CFR 63.10021(e)(6) and (7) are completed. [40 CFR 63.10021(e)(9)]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (i) and (j)** and **6. Specific Reporting Requirements (d)(i)(4)**.

d. The permittee shall be in compliance with the emission limits and operating limits in 40 CFR 63, Subpart UUUUU. These limits apply at all times except during periods of startup and shutdown; however, for coal-fired, liquid oil-fired, or solid oil-derived fuel-fired EGUs, the permittee shall meet the work practice requirements, items 3 and 4, in Table 3 to 40 CFR 63, Subpart UUUUU during periods of startup or shutdown. [40 CFR 63.10000(a)]

e. During startup:

i. The permittee has the option of complying using either of the following work practice standards:

1. If complying using paragraph (1) of the definition of "startup" in 40 CFR 63.10042, the permittee shall operate all continuous monitoring systems (CMS) during startup. Startup means either the first-ever firing of fuel in a boiler for the purpose of producing electricity, or the firing of fuel in a boiler after a shutdown period for any purpose. Startup ends when any of the steam from the boiler is used to generate electricity for sale over the grid or for any other purpose (including on site use). For startup of a unit, the permittee shall use clean fuels as defined in 40 CFR 63.10042 for ignition. Once the unit converts to firing coal, residual oil, or solid oil-derived fuel, the permittee shall engage all of the applicable control technologies except dry scrubber and SCR. The permittee shall start dry scrubber and SCR systems, if present, appropriately to comply with relevant standards applicable during normal operation. The permittee shall comply with all applicable emissions limits at all times except for periods that meet the applicable definitions of startup and shutdown in 40 CFR 63, Subpart UUUUU. The permittee shall keep records during startup periods. The permittee shall provide reports concerning activities and startup periods, as specified in 40 CFR 63.10011(g) and 63.10021(h) and (i).

2. If complying using paragraph (2) of the definition of "startup" in 40 CFR 63.10042, the permittee shall operate all CMS during startup. The permittee shall also collect appropriate data, and shall calculate the pollutant emission rate for each hour of startup. For startup of an EGU, the permittee shall use one or a combination of the clean fuels defined in 40 CFR 63.10042 to the maximum extent possible, taking into account considerations such as boiler or control device integrity, throughout the startup period. The permittee shall have sufficient clean fuel capacity to engage and operate the PM control device within one hour of adding coal, residual oil, or

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

solid oil-derived fuel to the unit. The permittee shall meet the startup period work practice requirements as identified in 40 CFR 63.10020(e). Once the unit starts firing coal, residual oil, or solid oil-derived fuel, the permittee shall vent emissions to the main stack(s). The permittee shall comply with the applicable emission limits beginning with the hour after startup ends. The permittee shall engage and operate particulate matter control(s) within 1 hour of first firing coal, residual oil, or solid oil-derived fuel. The permittee shall start all other applicable control devices as expeditiously as possible, considering safety and manufacturer/supplier recommendations, but, in any case, when necessary to comply with other standards made applicable to the EGU by a permit limit or a rule other than 40 CFR 63, Subpart UUUUU that require operation of the control devices.

ii. If the permittee chooses to use just one set of sorbent traps to demonstrate compliance with the applicable Hg emission limit, the permittee shall comply with the limit at all times; otherwise, the permittee shall comply with the applicable emission limit at all times except for startup and shutdown periods.

iii. The permittee shall collect monitoring data during startup periods, as specified in 40 CFR 63.10020(a) and (e). The permittee shall keep records during startup periods, as provided in 40 CFR 63.10031 and 63.10021(h). The permittee shall provide reports concerning activities and startup periods, as specified in 40 CFR 63.10011(g), 63.10021(i), and 63.10031.

[40 CFR 63.9991(a)(1) referencing Item 3. of Table 3 to Subpart UUUUU of Part 63]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (i) and (j)** and **5. Specific Recordkeeping Requirements (j) and (m)**.

f. During shutdown: The permittee shall operate all CMS during shutdown (as defined in 40 CFR 63.10042). The permittee shall collect appropriate data, and shall calculate the pollutant emission rate for each hour of shutdown for those pollutants for which a CMS is used.

i. While firing coal, residual oil, or solid oil-derived fuel during shutdown, the permittee shall vent emissions to the main stack(s) and operate all applicable control devices and continue to operate those control devices after the cessation of coal, residual oil, or solid oil-derived fuel being fed into the EGU and for as long as possible thereafter considering operational and safety concerns. In any case, the permittee shall operate controls when necessary to comply with other standards made applicable to the EGU by a permit limit or a rule other than 40 CFR 63, Subpart UUUUU and that require operation of the control devices.

ii. If, in addition to the fuel used prior to initiation of shutdown, another fuel must be used to support the shutdown process, that additional fuel shall be one or a combination of the clean fuels defined in 40 CFR 63.10042 and shall be used to the maximum extent possible, taking into account considerations such as not compromising boiler or control device integrity.

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

iii. The permittee shall comply with all applicable emission limits at all times except during startup periods and shutdown periods at which time the permittee shall meet this work practice. The permittee shall collect monitoring data during shutdown periods, as specified in 40 CFR 63.10020(a). The permittee shall keep records during shutdown periods, as provided in 40 CFR 63.10032 and 63.10021(h). Any fraction of an hour in which shutdown occurs constitutes a full hour of shutdown. The permittee shall provide reports concerning activities and shutdown periods, as specified in 40 CFR 63.10011(g), 63.10021(i), and 63.10031.

[40 CFR 63.9991(a)(1) referencing Item 4. of Table 3 to Subpart UUUUU of Part 63]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (i) and (j)** and **5. Specific Recordkeeping Requirements (j) and (m)**.

g. At all times, operate and maintain the 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. Determination of whether such operation and maintenance procedures are being used will be based on information available to the EPA 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 63.10000(b)]

h. During a startup period or a shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 61:015, Section 9. The affected facility shall meet the work practice standards established in 40 CFR, Part 63, Table 3 to Subpart UUUUU, as established in 401 KAR 63:002, Section 2(4)(yyyy). [401 KAR 61:015, Section 9 and 401 KAR 61:015, Section 9(2)(b)]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **1. Operating Limitations (e) and (f)**.

2. Emission Limitations:

a. Particulate matter (PM) emissions shall not exceed 0.23 lb/MMBtu [401 KAR 61:015, Section 4(1)(a)]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **3. Testing Requirements (a)**.

b. Emissions shall not exceed 40 percent opacity, except: [401 KAR 61:015, Section 4(1)(c)]

i. A maximum of 60 percent opacity shall be permissible for not more than one 6 minute period in any 60 consecutive minutes; and [401 KAR 61:015, Section 4(1)(c)1.]

ii. Emissions from an indirect heat exchanger during building a new fire for the period required to bring the boiler up to operating conditions if the method used is that recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 61:015, Section 4(1)(c)3.]

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

Compliance Demonstration Method:
Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (a)** and **5. Specific Recordkeeping Requirements (b) and (d)**.

c. Sulfur dioxide (SO_2) emissions shall not exceed 3.3 lb/MMBtu based on a 24-hour average [401 KAR 61:015, Section 5(1)]. Upon final action by the U.S. EPA designating Pulaski County "unclassifiable/attainment" or "attainment" with the 2010 1-hour SO_2 NAAQS, the unit shall either achieve a SO_2 removal efficiency of at least 95 percent based on a 30-day rolling average or the SO_2 emissions shall not exceed 0.100 lb/MMBtu based on a 30-day rolling average. [401 KAR 51:010 and 401 KAR 53:010]

Compliance Demonstration Method:
In determining emission rates for SO_2, the permittee shall use CEMS in accordance with the procedures specified in 40 CFR Part 75. If the percent removal efficiency requirement is used to demonstrate compliance, the outlet SO_2 emission rate shall be determined by using 40 CFR Part 60, Appendix A-7, Method 19, Equation 19-7 to calculate the Unit 1 SO_2 inlet and Equation 19-24 to determine the SO_2 percent removal efficiency. The permittee will calculate the Unit 1 SO_2 outlet by dividing the sum of the combined Unit 1 and 2 duct SO_2 emitted (in pounds) over 30 days by the sum of combined Unit 1 and 2 duct heat input over 30 days. Or if the permittee chooses to demonstrate compliance based on the limit of 0.100 lb/MMBtu, the outlet SO_2 CEMS will be used.

d. Beginning April 15, 2016, filterable particulate matter emissions shall not exceed 0.030 lb/MMBtu. [Consent Decree entered September 24, 2007, paragraph 84]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **3. Testing Requirements (a)** and **Section D – Source Emission Limitations and Testing Requirements.**

e. Filterable PM emissions shall not exceed 0.030 lb/MMBtu. [Kentucky BART SIP]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **3. Testing Requirements (a)** and **Section D – Source Emission Limitations and Testing Requirements.**

f. Emissions from each unit shall not exceed the limitations in the table below [40 CFR 63.9991(a)(1) referencing Item 1. of Table 2 to Subpart UUUUU of Part 63]. If the permittee elects to comply with these emission limitations using emissions averaging, emissions averaging shall be conducted according to 40 CFR 63.10009 and 40 CFR 63.10022.

Pollutant	Emission Limit	Compliance Demonstration
PM	0.030 lb/MMBtu **OR** 0.30 lb/MWh	Quarterly stack testing **OR** PM CEMS. [Table 5., Item 1; and Table 7. also 40 CFR 63.10005.] n

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

Pollutant	Emission Limit	Compliance Demonstration
OR		
Total non-Hg HAP Metals	0.000050 lb/MMBtu **OR** 0.50 lb/GWh	Quarterly stack testing [Table 5., Item 2; and Table 7. also 40 CFR 63.10005.]
OR		
All of these: Antimony	0.80 lb/TBtu **OR** 0.0080 lb/GWh	Quarterly stack testing for each [Table 5., Item 2; and Table 7. also 40 CFR 63.10005.]
Arsenic	1.1 lb/TBtu **OR** 0.020 lb/GWh	
Beryllium	0.20 lb/TBtu **OR** 0.0020 lb/GWh	
Cadmium	0.30 lb/TBtu **OR** 0.0030 lb/GWh	
Chromium	2.8 lb/TBtu **OR** 0.030 lb/GWh	
Cobalt	0.80 lb/TBtu **OR** 0.0080 lb/GWh	
Lead	1.2 lb/TBtu **OR** 0.020 lb/GWh	
Manganese	4.0 lb/TBtu **OR** 0.050 lb/GWh	
Nickel	3.5 lb/TBtu **OR** 0.040 lb/GWh	
Selenium	5.0 lb/TBtu **OR** 0.060 lb/GWh	
AND		
HCl	0.0020 lb/MMBtu **OR** 0.020 lb/MWh	Quarterly stack testing **OR** HCl/HF CEMS. [Table 5., Item 3; and Table 7. also 40 CFR 63.10005.]
OR		
SO_2	0.20 lb/MMBtu **OR** 1.5 lb/MWh	SO_2 CEMS. [Table 5., Item 3; and Table 7.]

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

Pollutant	Emission Limit	Compliance Demonstration
AND		
Hg	1.2 lb/TBtu, **OR** 0.013 lb/GWh	Emissions Testing [Table 5., Item 4 and 40 CFR 63.10005] **OR** Hg CEMS. [Table 5 Item 4, Table 7. and 40 CFR 63.10005.] **OR** Sorbent Trap Monitoring. [Table 5 Item 4, Table 7. and 40 CFR 63.10005.] **OR** LEE Testing [Table 5., Item 4 and 40 CFR 63.10005]

3. Testing Requirements:

a. The permittee shall conduct a PM performance test annually. This requirement may be satisfied by PM performance testing conducted to satisfy other requirements of this permit. The permittee may perform biennial rather than annual testing provided that:

i. Two of the most recently completed test results from tests conducted in accordance with 40 CFR 60, Appendix A-1, Method 5 demonstrate that the PM emissions are equal or less than 0.015 lb/MMBtu; or

ii. The unit is equipped with a PM CEMS.

The permittee shall perform annual rather than biennial testing the year immediately following any test result demonstrating that the particulate matter emissions are greater than 0.015 lb/MMBtu unless the unit is equipped with a PM CEMS. [401 KAR 50:045, Section 1 and Consent Decree entered September 24, 2007, paragraph 86]

b. For EGUs using PM CPMS to monitor continuous performance with an applicable emission limit as provided for under 40 CFR 63.10000(c), the permittee shall conduct all applicable performance tests according to Table 5 to 40 CFR 63, Subpart UUUUU and 40 CFR 63.10007 at least every year. [40 CFR 63.10006(a)]

c. For affected units meeting the LEE requirements of 40 CFR 63.10005(h), the permittee shall repeat the performance test once every 3 years (once every year for Hg) according to Table 5 to 40 CFR 63, Subpart UUUUU and 40 CFR 63.10007. Should subsequent emissions testing results show that the unit does not meet the LEE eligibility requirements, LEE status is lost. If this should occur: [40 CFR 63.10006(b)]

i. For all pollutant emission limits except for Hg, the permittee shall conduct emissions testing quarterly, except as otherwise provided in 40 CFR 63.10021(d)(1). [40 CFR 63.10006(b)(1)]

ii. For Hg, the permittee shall install, certify, maintain, and operate a Hg CEMS or a sorbent trap monitoring system in accordance with 40 CFR 63, Subpart UUUUU,

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

Appendix A, within 6 calendar months of losing LEE eligibility. Until the Hg CEMS or sorbent trap monitoring system is installed, certified, and operating, the permittee shall conduct Hg emissions testing quarterly, except as otherwise provided in 40 CFR 63.10021(d)(1). To reestablish LEE status, 3 calendar years of testing and CEMS or sorbent trap monitoring system data that satisfy the LEE emissions criteria is required. [40 CFR 63.10006(b)(2)]

d. Except where 40 CFR 63.10006(a) or (b) apply, or where the permittee installs, certifies, and operates a PM CEMS to demonstrate compliance with a filterable PM emissions limit, the permittee shall conduct all applicable periodic test for filterable PM, individual, or total HAP metals emission according to Table 5 to 40 CFR 63, Subpart UUUUU, 40 CFR 63.10007, and 40 CFR 63.10000(c), except as otherwise provided in 40 CFR 63.10021(d)(1). [40 CFR 63.10006(c)]

e. Except where 40 CFR 63.10006(b) applies, EGUs that do not use either an HCl CEMS to monitor compliance with the HCl limit or an SO_2 CEMS to monitor compliance with the alternate equivalent SO_2 emission limit, the permittee shall conduct all applicable periodic HCl emissions tests according to Table 5 to 40 CFR 63, Subpart UUUUU and 40 CFR 63.10007 at least quarterly, except as otherwise provided in 40 CFR 63.10021(d)(1). [40 CFR 63.10006(d)]

f. Time between performance tests [40 CFR 63.10006(f)]

   i. Notwithstanding the provisions of 40 CFR 63.10021(d)(1), and the requirements listed in 40 CFR 63.10006(g) and (h), and the requirements of 40 CFR 63.10006(f)(3), the permittee shall complete performance tests for the EGU as follows: [40 CFR 63.10006(f)(1)].

      1. At least 45 calendar days, measured from the test's end date, shall separate performance tests conducted every quarter [40 CFR 63.10006(f)(1)(i)];

      2. For annual testing: [40 CFR 63.10006(f)(1)(ii)]

         A. At least 320 calendar days, measured from the test's end date, shall separate performance tests [40 CFR 63.10006(f)(1)(ii)(A)];

         B. At least 320 calendar days, measured from the test's end date, shall separate annual sorbent trap mercury testing for 30-boiler operating day LEE tests [40 CFR 63.10006(f)(1)(ii)(B)];

         C. At least 230 calendar days, measured from the test's end date, shall separate annual sorbent trap mercury testing for 90-boiler operating day LEE tests; and [40 CFR 63.10006(f)(1)(ii)(C)]

      3. At least 1,050 calendar days, measured from the test's end date, shall separate performance tests conducted every 3 years. [40 CFR 63.10006(f)(1)(iii)]

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

ii. For units demonstrating compliance through quarterly emission testing, the permittee shall conduct a performance test in the 4th quarter of a calendar year if the EGU has skipped performance tests in the first 3 quarters of the calendar year. [40 CFR 63.10006(f)(2)]

iii. If the EGU misses a performance test deadline due to being inoperative and if 168 or more boiler operating hours occur in the next test period, the permittee shall complete an additional performance test in that period as follows: [40 CFR 63.10006(f)(3)]

1. At least 15 calendar days shall separate two performance tests conducted in the same quarter. [40 CFR 63.10006(f)(3)(i)]

2. At least 107 calendar days shall separate two performance tests conducted in the same calendar year. [40 CFR 63.10006(f)(3)(ii)]

3. At least 350 calendar days shall separate two performance tests conducted in the same 3 year period. [40 CFR 63.10006(f)(3)(iii)]

g. Performance tests conducted for 40 CFR 63, Subpart UUUUU shall be conducted according to 40 CFR 63.10007 and Table 5 to 40 CFR 63, Subpart UUUUU. [40 CFR 63.10005(b) and 63.10006]

4. Specific Monitoring Requirements:

a. The permittee shall install, calibrate, operate, and maintain a continuous opacity monitoring (COM) system for accurate opacity measurement. Excluding exempted time periods, if any six-minute average opacity value exceeds the opacity standard, the permittee shall, as appropriate: [401 KAR 61:005, Section 3; 40 CFR 60, Appendix B, Performance Specification 1; and 401 KAR 52:020, Section 10]

i. Accept the concurrent readout from the COM and perform an inspection of the control equipment and make any necessary repairs; or

ii. Within 30 minutes after the COM indicates exceedance of the opacity standard, determine opacity using U.S. EPA Reference Method 9:

1. If emissions are visible, inspect the COM and/or the control equipment and make any necessary repairs.

2. If a U.S. EPA Reference Method 9 cannot be performed, the reason for not performing the reading shall be documented.

b. To meet the monitoring requirement for PM, the permittee shall us a continuous emission monitoring system (CEMS) as an indicator of particulate matter emission as directed in Table 1. [40 CFR 64.4(a)(1)]

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

TABLE 1 - MONITORING APPROACH

CAM Monitoring Approach		Indicator #1
I.	**Indicator**	**PM Emission Rate**
A.	Measurement Approach	Continuous measurement of PM emission rate from the common baghouse outlet duct.
II.	**Indicator Range**	An excursion is defined as a PM CEMS response that exceeds 0.027 lb/MMBtu for any six hour block average operating period excluding startup, shutdown, or malfunction. If five percent or greater of the CEM data recorded in a calendar quarter show excursions above the pressure drop indicator level, the permittee triggers the threshold for a QIP.
III.	**Performance Criteria**	
A.	Data Representativeness	The one-minute averages recorded by the PM CEMS are reduced to one-hour averages and one-hour lb/MMBtu emission rates are calculated by the Data Acquisition and Handling System (DAHS)
B.	Verification of Operational Status	N/A
C.	QA/QC Practices and Criteria	Daily zero and span checks will be completed and documented. The instrument is recalibrated if the zero or span value exceeds ±4% of the reference value. Absolute Correlation Audits (ACA) and Relative Correlation Audits (RCA) are completed according to the procedures of 40 CFR 60, Appendix F, Procedure 2.
D.	Monitoring Frequency	Continuous measurement of PM emission rate.
IV.	**Data Collection Procedures**	One-hour averages and one-hour lb/MMBtu PM emission rates shall be kept in a form readily available for inspection.
V.	**Averaging Period**	PM emission rates shall be reported as one-hour averages and one-hour lb/MMBtu
VI.	**Recordkeeping**	PM emission rates shall be maintained for a period of 5 years.
VII.	**Reporting**	The number, the duration, the cause of, and corrective action taken as a result of excursion.

If five percent or greater of the CEM data (six-hour average of PM values) recorded in a calendar quarter show excursions above the PM indicator level, the permittee shall perform a stack test in the following calendar quarter to demonstrate compliance with the particulate matter standard while operating at representative conditions. The permittee shall submit a

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

compliance test protocol as pursuant to 401 KAR 50:045, Performance Tests, before conducting the test. The Division may waive this testing requirement upon a determination that the cause(s) of the excursions have been corrected, or may require stack tests at any time pursuant to 401 KAR 50:045, Performance Tests.

c. The permittee shall monitor the ESP primary/secondary current and voltage. [401 KAR 52:020, Section 10]

d. The permittee shall install, calibrate, maintain and operate CEMS for measuring nitrogen oxide (NO_x), SO_2, and either oxygen or carbon dioxide emissions. Excluding exempted time periods, if any 24-hour average sulfur dioxide value exceeds the standard, the permittee shall, as appropriate, initiate an investigation of the cause of the exceedance and/or the CEM system and make any necessary repairs or take corrective actions as soon as practicable.[401 KAR 61:005, Section 3; 40 CFR 60, Appendix B, Performance Specification 2; 40 CFR 75, Appendix A; and 401 KAR 52:020, Section 10]

e. The sulfur content of solid fuels, as burned shall be determined at least once per week in accordance with methods specified by the Division. [401 KAR 61:015, Section 6(1)]

f. The permittee shall meet the monitoring requirements of 401 KAR 61:015, Section 6(3) according to the following:

   i. The rate of each fuel burned shall be measured daily and recorded. [401 KAR 61:015, Section 6(3)(a)]

   ii. The heating value and ash content of fuels shall be ascertained at least once per week and recorded. [401 KAR 61:015, Section 6(3)(b)]

   iii. The average electrical output and the minimum and maximum hourly generation rate shall be measured and recorded daily. [401 KAR 61:015, Section 6(3)(c)]

g. During periods of monitoring system malfunction, a temporary exemption from the monitoring and reporting requirements of 401 KAR 61:005, Section 3 may be provided pursuant to 401 KAR 50:055 if the permittee demonstrates that the malfunction was unavoidable and is being repaired as expeditiously as practicable. [401 KAR 61:005, Section 3(4)]

h. The permittee shall monitor the duration of startups. [401 KAR 52:020, Section 10]

i. The permittee shall comply with all applicable monitoring requirements of 40 CFR 63.10010, 40 CFR 63.10011, 40 CFR 63.10020, and 40 CFR 63.10021.

j. The permittee shall monitor and collect data according to 40 CFR 63.10020 and the site-specific monitoring plan required by 40 CFR 63.10000(d) [40 CFR 63.10020(a)].

   i. The permittee shall operate the monitoring system and collect data at all required intervals at all times that the affected EGU is operating, except for periods of monitoring system malfunctions or out-of-control periods (see 40 CFR 63.8(c)(7)), and

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

required monitoring system quality assurance or quality control activities, including, as applicable, calibration checks and required zero and span adjustments. The permittee is required to affect monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable. [40 CFR 63.10020(b)]

ii. The permittee may not use data recorded during EGU startup or shutdown in calculations used to report emissions, except as otherwise provided in 40 CFR 63.10000(c)(1)(vi)(B) and 63.10005(a)(2)(iii). In addition, data recorded during monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, or required monitoring system quality assurance or control activities may not be used in calculations used to report emissions or operating levels. The permittee shall use all of the quality-assured data collected during all other periods in assessing the operation of the control device and associate control system. [40 CFR 63.10020(c)]

iii. Except for periods of monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, and required monitoring system quality assurance or quality control activities including, as applicable, calibration checks and required zero and span adjustments, failure to collect required data is a deviation from the monitoring system requirements [40 CFR 63.10020(d)].

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain a file of all information reported in the quarterly summaries, with the exception that records shall be maintained for 5 years. [401 KAR 61:005, Section 3(15)(g); 401 KAR 61:015, Section 6(4); and 401 KAR 52:020, Section 10]

b. The permittee shall maintain records of:

i. The sulfur content from each fuel analysis;

ii. The rate of fuel burned for each fuel type, on a daily basis;

iii. The heating value and ash content on a weekly basis;

iv. The average electrical output and the minimum and maximum hourly generation rate on a daily basis;

v. When no excess emissions have occurred and the continuous monitoring system(s) have not been inoperative, repaired, or adjusted;

vi. Data collected either by the continuous monitoring systems or as necessary to convert monitoring data to the units of the applicable standard;

vii. Results of all compliance tests; and

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

viii. Percentage of the CEM data (excluding exempted time periods) showing excursions above the PM standard and the PM indicator level.
[401 KAR 52:020, Section 10]

c. The permittee shall maintain records of primary/secondary voltage, current, and corrective actions for the electrostatic precipitator with long-term operational records for 5 years. [401 KAR 52:020, Section 10]

d. The permittee shall maintain records of U.S. EPA Reference Method 9 readings in a designated logbook and/or electronic format. Records shall be maintained for five years. [401 KAR 52:020, Section 10]

e. In the event of start-up, the permittee shall maintain records of:

i. The duration of start-up;

ii. The type of start-up (cold, warm, or hot); and

iii. Whether or not the duration of the start-up exceeded the manufacturer's recommendation or typical, historical durations, and if so, an explanation of why the start-up exceeded recommended or typical durations.
[401 KAR 52:020, Section 10 and 401 KAR 61:015]

f. The permittee shall keep records according to 40 CFR 63.10032(a)(1) and (2). If required or electing to continuously monitor Hg and/or HCl and/or HF emissions, the permittee shall also keep the records required under 40 CFR 63, Subpart UUUUU, Appendix A and/or Appendix B. [40 CFR 63.10032(a)]

i. A copy of each notification and report submitted to comply with 40 CFR 63, Subpart UUUUU, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report submitted according to the requirements in 40 CFR 63.10(b)(2)(xiv) [40 CFR 63.10032(a)(1)].

ii. Records of performance stack tests, fuel analyses, or other compliance demonstrations and performance evaluations, as required in 40 CFR 63.10(b)(2)(viii) [40 CFR 63.10032(a)(2)].

g. For each CEMS and CPMS used for 40 CFR 63, Subpart UUUUU, the permittee shall keep records according to 40 CFR 63.10032(b)(1) through (4) [40 CFR 63.10032(b)].

i. Records described in 40 CFR 63.10(b)(2)(vi) through (xi) [40 CFR 63.10032(b)(1)].

ii. Previous (i.e., superseded) versions of the performance evaluation plan as required in 40 CFR 63.8(d)(3) {40 CFR 63.10032(b)(2)].

iii. Request for alternatives to relative accuracy test for CEMS as required in 40 CFR 63.8(f)(6)(i) [40 CFR 63.10032(b)(3)].

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

iv. Records of the date and time that each deviation started and stopped, and whether the deviation occurred during a period of startup, shutdown, or malfunction or during another period [40 CFR 63.10032(b)(4)].

h. The permittee shall keep the records required in Table 7 to 40 CFR 63, Subpart UUUUU including records of all monitoring data and calculated averages for applicable PM CPMS operating limits to show continuous compliance with each emission limit and operating limit applicable to the unit [40 CFR 63.10032(c)].

i. For each EGU subject to an emission limit, the permittee shall also keep the records in 40 CFR 63.10032(d)(1) through (3) [40 CFR 63.10032(d)].

i. Records of monthly fuel use by each EGU, including the type(s) of fuel and amount(s) used [40 CFR 63.10032(d)(1)].

ii. If non-hazardous secondary materials that have been determined not to be solid waste pursuant to 40 CFR 241.3(b)(1) are combusted, the permittee shall keep a record which documents how the secondary material meets each of the legitimacy criteria. If a fuel that has been processed from a discarded non-hazardous secondary material pursuant to 40 CFR 241.3(b)(2) is combusted, the permittee shall keep records as to how the operations that produced the fuel satisfies the definition of processing in 40 CFR 241.2. If the fuel received a non-waste determination pursuant to the petition process submitted under 40 CFR 241.3(c), the permittee shall keep a record which documents how the fuel satisfies the requirements of the petition process. [40 CFR 63.10032(d)(2)]

iii. For an EGU that qualifies as LEE under 40 CFR 63.10005(h), the permittee shall keep annual records that document that emissions in the previous stack test(s) continue to qualify the unit for LEE status for an applicable pollutant, and document that there was no change in source operations including fuel composition and operation of air pollution control equipment that would cause emissions of the pollutant to increase within the past year [40 CFR 63.10032(d)(3)].

j. Regarding startup periods or shutdown periods: [40 CFR 63.10032(f)]

i. If relying on paragraph (1) of the definition of "startup" in 40 CFR 63.10042 for the EGU, the permittee shall keep records of the occurrence and duration of each startup or shutdown [40 CFR 63.10032(f)(1)].

ii. If relying on paragraph (2) of the definition of "startup" in 40 CFR 63.10042 for the EGU, the permittee shall keep records of: [40 CFR 63.10032(f)(2)]

1. The determination of the maximum possible clean fuel capacity for each EGU [40 CFR 63.10032(f)(2)(i)].

2. The determination of the maximum possible hourly clean fuel heat input and of the hourly clean fuel heat input for each EGU [40 CFR 63.10032(f)(2)(ii)].

3. The information required in 40 CFR 63.10020(e) [40 CFR 63.10032(f)(2)(iii)].

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

A. During each period of startup, the permittee shall record for each EGU [40 CFR 63.10020(e)(1)]:

I. The date and time that clean fuels being combusted for the purpose of startup begins [40 CFR 63.10020(e)(1)(i)];

II. The quantity and heat input of clean fuel for each hour of startup [40 CFR 63.10020(e)(1)(ii)];

III. The gross output for each hour of startup [40 CFR 63.10020(e)(1)(iii)];

IV. The date and time that non-clean fuel combustion begins; and [40 CFR 63.10020(e)(1)(iv)]

V. The date and time that clean fuels being combusted for the purpose of startup ends [40 CFR 63.10020(e)(1)(v)].

B. During each period of shutdown, the permittee shall record for each EGU [40 CFR 63.10020(e)(2)]:

I. The date and time that clean fuels being combusted for the purpose of shutdown begins [40 CFR 63.10020(e)(2)(i)];

II. The quantity and heat input of clean fuel for each hour of shutdown [40 CFR 63.10020(e)(2)(ii)];

III. The gross output for each hour of shutdown [40 CFR 63.10020(e)(2)(iii)];

IV. The date and time that non-clean fuel combustion ends; and [40 CFR 63.10020(e)(2)(iv)]

V. The date and time that clean fuels being combusted for the purpose of shutdown ends [40 CFR 63.10020(e)(2)(v)].

C. For PM or non-mercury HAP metals work practice monitoring during startup periods, the permittee shall monitor and collect data according to 40 CFR 63.10020(e)(3) and the site-specific monitoring plan required by 40 CFR 63.10010(l) [40 CFR 63.10020(e)(3)].

k. The permittee shall keep records of the occurrence and duration of each malfunction of an operation (i.e., process equipment) or the air pollution control and monitoring equipment [40 CFR 63.10032(g)].

l. The permittee shall keep records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.10000(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 63.10032(h)].

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

m. The permittee shall keep records of the type(s) and amount(s) of fuel used during each startup or shutdown [40 CFR 63.10032(i)].

n. Records kept for 40 CFR 63, Subpart UUUUU shall be in a form suitable and readily available for expeditious review, according to 40 CFR 63.10(b)(1). As specified in 40 CFR 63.10(b)(1), the permittee shall keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. The permittee shall keep each record on site for at least 2 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). Records can be kept off site for the remaining 3 years. [40 CFR 63.10033]

o. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

6. Specific Reporting Requirements:

a. The permittee shall submit, in writing to the cabinet, for every calendar quarter, a written report of excess emissions including the nature and cause of the excess emissions, if known, as follows: [401 KAR 61:005, Section 3(15)]

i. The averaging period used for data reporting shall correspond to the averaging period specified in the emission test method used to determine compliance with an emission standard for the applicable pollutant and source category, and quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter; [401 KAR 61:005, Section 3(15)(a)]

ii. For opacity measurements, the summary shall consist of the magnitude in actual percent opacity of 6 minute averages of opacity greater than the opacity standard in the applicable standard for each hour of operation of the facility, as follows: [401 KAR 61:005, Section 3(15)(b)]

1. Average values may be obtained by integration over the averaging period or by arithmetically averaging a minimum of four equally spaced, instantaneous opacity measurements per minute; [401 KAR 61:005, Section 3(15)(b)1.]

2. All exempted time periods shall be considered before determining the excess average of opacity (for example, if an administrative regulation allows 2 minutes of opacity measurements in excess of the standard, the source shall report all opacity averages, in any 1 hour, in excess of the standard, minus the 2 minute exemption); and [401 KAR 61:005, Section 3(15)(b)2.]

3. If more than one opacity standard applies, excess emissions data shall be submitted in relation to all applicable standards; [401 KAR 61:005, Section 3(15)(b)3.]

iii. For gaseous measurements, the summary shall consist of hourly averages expressed in the units of the applicable standard. The hourly averages may be provided in electronic format, if available; and [401 KAR 61:005, Section 3(15)(d)]

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

iv. Except for zero and span checks, the date and time of each period during which the CEMS was not operating, including proof of CEMS performance during system repairs and the nature of the repairs or adjustments.[401 KAR 61:005, Section 3(15)(e)]

b. The permittee shall report the number of excursions (excluding exempted time periods) above the PM indicator level, date and time of excursions, PM value of the excursions, and percentage of the CEM data showing excursions above the PM indicator level in each calendar quarter. [40 CFR Part 64 and 401 KAR 52:020, Section 10]

c. In the event of start-up, the permittee shall report:

i. The duration of start-up;

ii. The type of start-up (cold, warm, or hot); and

iii. Whether or not the duration of the start-up exceeded the manufacturer's recommendation or typical, historical durations, and if so, an explanation of why the start-up exceeded recommended or typical durations.

[401 KAR 52:020, Section 10 and 401 KAR 61:015]

d. The permittee shall submit a compliance report which shall contain: [40 CFR 63.10031(a) referencing Item 1. of Table 8 to Subpart UUUUU of Part 63]

i. The compliance report shall contain the information required in 40 CFR 63.10031(c)(1) through (9).

1. The information required by the summary report located in 40 CFR 63.10(e)(3)(vi) [40 CFR 63.10031(c)(1)].

2. The total fuel use by each affected source subject to an emission limit, for each calendar month within the semiannual reporting period, including, but not limited to, a description of the fuel, whether the fuel has received a non-waste determination by EPA or the permittee's basis for concluding that the fuel is not a waste, and the total fuel usage amount with units of measure [40 CFR 63.10031(c)(2)].

3. Indicate whether new types of fuel were burned during the reporting period. If new types of fuel were burned, the permittee shall include the date of the performance test where that fuel was in use. [40 CFR 63.10031(c)(3)]

4. Include the date of the most recent tune-up for each EGU. The date of the tune-up is the date the tune-up provisions specified in 40 CFR 63.10021(e)(6) and (7) were completed. [40 CFR 63.10031(c)(4)]

5. If relying on paragraph (2) of the definition of "startup" in 40 CFR 63.10042 for the EGU, for each instance of startup or shutdown the permittee shall: [40 CFR 63.10031(c)(5)]

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

A. Include the maximum clean fuel storage capacity and the maximum hourly heat input that can be provided for each clean fuel determined according to the requirements of 40 CFR 63.10032(f) [40 CFR 63.10031(c)(5)(i)].

B. Include the information required to be monitored, collected, or recorded according to the requirements of 40 CFR 63.10020(e) [40 CFR 63.10031(c)(5)(ii)].

C. If using CEMS to demonstrate compliance with numerical limits, include hourly average CEMS values and hourly average flow values during startup periods or shutdown periods. Use units of milligrams per cubic meter for PM CEMS values, micrograms per cubic meter for Hg CEMS values, and ppmv for HCl, HF, or SO_2 CEMS values. Use units of standard cubic meters per hour on a wet basis for flow values. [40 CFR 63.10031(c)(5)(iii)]

D. If using a separate sorbent trap measurement system for startup or shutdown reporting periods, include hourly average mercury concentration values in terms of micrograms per cubic meter [40 CFR 63.10031(c)(5)(iv)].

E. If using a PM CPMS, include hourly average operating parameter values in terms of the operating limit, as well as the operating parameter to PM correlation equation [40 CFR 63.10031(c)(5)(v)].

6. Emergency bypass information annually from EGUs with LEE status [40 CFR 63.10031(c)(6)].

7. A summary of the results of the annual performance tests and documentation of any operating limits that were reestablished during the test, if applicable. If stack tests are conducted once every 3 years to maintain LEE status, consistent with 40 CFR 63.10006(b), the date of each stack test conducted during the previous 3 years, a comparison of emission level achieved in each stack test conducted during the previous 3 years to the 50 percent emission limit threshold required in 40 CFR 63.10005(h)(1)(i), and a statement as to whether there have been any operational changes since the last stack test that could increase emissions. [40 CFR 63.10031(c)(7)]

8. A certification [40 CFR 63.10031(c)(8)].

9. If there was a deviation from any emission limit, work practice standard, or operating limit, the permittee shall also submit a brief description of the deviation, the duration of the deviation, emissions point identification, and the cause of the deviation [40 CFR 63.10031(c)(9)].

ii. If there are no deviations from any emission limitation (emission limit and operating limit) applicable to the EGU and there are no deviations from the requirements for work practice standards in Table 3 to 40 CFR 63, Subpart UUUUU, a statement that there were no deviations from the emission limitations and work practice standards during

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

the reporting period. If there were no periods during which the CMSs, including continuous emissions monitoring system, and operating parameter monitoring systems, were out-of-control as specified in 40 CFR 63.8(c)(7), a statement that there were no periods during which the CMSs were out-of-control during the reporting period. [40 CFR 63.10031(a) referencing Item 1.b. of Table 8 to Subpart UUUUU of Part 63]

iii. If there is a deviation from any emission limitation (emission limit and operating limit) or work practice standard during the reporting period, the report shall contain the information in 40 CFR 63.10031(d). If there were periods during which the CMSs, including continuous emissions monitoring systems and continuous parameter monitoring systems, were out-of-control, as specified in 40 CFR 63.8(c)(7), the report shall contain the information in 40 CFR 63.10031(e). [40 CFR 63.10031(a) referencing Item 1.c. of Table 8 to Subpart UUUUU of Part 63]

iv. If there was a malfunction during the reporting period, the compliance report shall include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded [40 CFR 63.10031(g)].

e. The permittee shall submit reports to U.S. EPA as required by 40 CFR 63.10031(f).

f. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

7. Specific Control Equipment Operating Conditions:

a. The electrostatic precipitator shall be continuously operated to maximize PM emission reductions, consistent with manufacturer's specifications, the operational design and maintenance limitations of the units, and good engineering practice. The permittee shall at a minimum:

i. Energize each section of the ESP, regardless of whether that action is needed to comply with opacity limits;

ii. Maintain the energy or power levels delivered to the ESP to achieve the greatest possible removal of PM;

iii. Make best efforts to expeditiously repair and return to service transformer-rectifier sets when they fail; and

iv. Inspect for, and schedule for repair, any openings in ESP casings and ductwork to minimize air leakage.

[Consent Decree entered September 24, 2007, Section VII.A]

b. The permittee shall optimize the plate-cleaning and discharge-electrode-cleaning systems for the ESPs by varying the cycle time, cycle frequency, rapper-vibrator intensity, and number of strikes per cleaning event, to minimize PM emissions. [Consent Decree entered September 24, 2007, Section VII.A]

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

c. The permittee shall maintain records regarding the maintenance of the control equipment. [401 KAR 52:020, Section 10]

d. See **Section E – Source Control Equipment Requirements**.

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

Emissions Unit 02: **Indirect Heat Exchanger (Unit 2)**

Description:	Pulverized Coal-Fired, Dry-Bottom, Wall-Fired Unit
Primary Fuel:	Pulverized Coal
Secondary Fuel:	Wood Waste (up to 3% by weight in blend)
Startup Fuel:	Number Two Fuel Oil
Maximum Continuous Rating:	2,089 MMBtu/hr
Control Devices:	Low NO_x burners; Dry Flue Gas Desulfurization (DFGD); Selective Catalytic Reduction (SCR); Pulse Jet Fabric Filter (PJFF) (DFGD and PJFF shared with Unit 1); and FuelSolv Treatment
Construction Commenced:	1969; Low NO_x burners installed 1994; FGD, SCR, and PJFF installed in 2012; FGD and PJFF in operation since June 30, 2012. Duct reroute to DFGD and PJFF completed April 2016; PM CEMS installed on or before December 31, 2012 as required by the Notice of Non-Material Change to Consent Decree filed October 7, 2011 and the Consent Decree filed September 24, 2007, Civil Action No. 04-34-KSF

APPLICABLE REGULATIONS:

40 CFR 52, Subpart S, *Kentucky* (BART SIP)
40 CFR Part 64, *Compliance Assurance Monitoring* (For PM)
40 CFR Part 75, *Continuous Emissions Monitoring*
401 KAR 51:240, *Cross-State Air Pollution Rule (CSAPR) NO_x annual trading program* (See Section L)
401 KAR 51:250, *Cross-State Air Pollution Rule (CSAPR) NO_x ozone season group 2 trading program* (See Section L)
401 KAR 51:260, *Cross-State Air Pollution Rule (CSAPR) SO_2 group 1 trading program* (See Section L)
401 KAR 51:160, *NO_x requirements for large utility and industrial boilers*
401 KAR 51:210, *CAIR NO_x annual trading program* (See Section K)
401 KAR 51:220, *CAIR NO_x ozone season trading program* (See Section K)
401 KAR 51:230, *CAIR SO_2 trading program* (See Section K)
401 KAR 52:060, *Acid rain permits* (See Section J)
401 KAR 61:015, *Existing indirect heat exchangers*
401 KAR 63:002, Section 2(4)(yyyyy), 40 C.F.R. 63.9980 to 63.10042, Tables 1 to 9, and Appendices A to B (**Subpart UUUUU**), *National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units*

NON-APPLICABLE REGULATIONS:

401 KAR 63:020, *Potentially Hazardous Matter or Toxic Substances*

APPLICABLE CONSENT DECREE:

Consent Decree entered September 24, 2007, Civil Action No. 04-34-KSF
Non-Material Change to Consent Decree filed October 7, 2011, Civil Action No. 04-34-KSF

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

Terminated by Unopposed Certificate in Support of Conditional Termination of Enforcement through Consent Decree filed on June 16, 2017

1. Operating Limitations:

a. The permittee shall conduct periodic performance tune-ups of the EGUs, as specified in 40 CFR 63.10021(e)(1) through (9). Subsequently, the permittee shall perform an inspection of the burner at least once every 36 calendar months unless the EGU employs neural network combustion optimization during normal operations in which case the permittee shall perform an inspection of the burner and combustion controls at least once every 48 calendar months. If the EGU is offline when a deadline to perform the tune-up passes, the tune-up work practice requirements shall be performed within 30 days after the re-start of the affected unit. [40 CFR 63.9991(a)(1) referencing Item 1. Of Table 3 to Subpart UUUUU of Part 63, 40 CFR 63.10006(i), and 40 CFR 63.10021(e)]

i. As applicable, inspect the burner and combustion controls, and clean or replace any components of the burner or combustion controls as necessary upon initiation of the work practice program and at least once every required inspection period. Repair of a burner or combustion control component requiring special order parts may be scheduled as follows: [40 CFR 63.10021(e)(1)]

1. Burner or combustion control component parts needing replacement that affect the ability to optimize NO_x and CO shall be installed within 3 calendar months after the burner inspection. [40 CFR 63.10021(e)(1)(i)]

2. Burner or combustion control component parts that do not affect the ability to optimize NO_x and CO may be installed on a schedule determined by the operator. [40 CFR 63.10021(e)(1)(ii)]

ii. As applicable, inspect the flame pattern and make any adjustments to the burner or combustion controls necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available, or in accordance with best combustion engineering practice for that burner type. [40 CFR 63.10021(e)(2)]

iii. As applicable, observe the damper operations as a function of mill and/or cyclone loading, cyclone and pulverizer coal feeder loadings, or other pulverizer and coal mill performance parameters, making adjustments and effecting repair to dampers, controls, mills, pulverizers, cyclones, and sensors. [40 CFR 63.10021(e)(3)]

iv. As applicable, evaluate windbox pressures and air proportions, making adjustments and effecting repair to dampers, actuators, controls, and sensors. [40 CFR 63.10021(e)(4)]

v. Inspect the system controlling the air-to-fuel ratio and ensure that it is correctly calibrated and functioning properly. Such inspection may include calibrating excess O_2 probes and/or sensors, adjusting overfire air systems, changing software parameters, and calibrating associated actuators and dampers to ensure that the systems are operated as designed. Any component out of calibration, in or near failure, or in a state that is

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

likely to negate combustion optimization efforts prior to the next tune-up, should be corrected or repaired as necessary. [40 CFR 63.10021(e)(5)]

vi. Optimize combustion to minimize generation of CO and NO_x. This optimization should be consistent with the manufacturer's specifications, if available, or best combustion engineering practice for the applicable burner type. NO_x optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, adjusting combustion zone temperature profiles, and add-on controls such as SCR and SNCR; CO optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, and adjusting combustion zone temperature profiles. [40 CFR 63.10021(e)(6)]

vii. While operating at full load or the predominantly operated load, measure the concentration in the effluent stream of CO and NO_x in ppm, by volume, and oxygen in volume percent, before and after the tune-up adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). The permittee may use portable CO, NO_x, and O_2 monitors for this measurement. EGUs employing neural network optimization systems need only provide a single pre- and post-tune-up value rather than continual values before and after each optimization adjustment made by the system. [40 CFR 63.10021(e)(7)]

viii. Maintain on-site and submit, if requested by the Administrator, an annual report containing the information in 40 CFR 63.10021(e)(1) through (e)(9) including: [40 CFR 63.10021(e)(8)]

1. The concentrations of CO and NO_x in the effluent stream in ppm by volume, and oxygen in volume percent, measured before and after an adjustment of the EGU combustion systems. [40 CFR 63.10021(e)(8)(i)]

2. A description of any corrective actions taken as a part of the combustion adjustment. [40 CFR 63.10021(e)(8)(ii)]

3. The type(s) and amount(s) of fuel used over the 12 calendar months prior to an adjustment, but only if the unit was physically and legally capable of using more than one type of fuel during that period. [40 CFR 63.10021(e)(8)(iii)]

ix. Report the dates of the initial and subsequent tune-ups in hard copy, as specified in 40 CFR 63.10031(f)(5), through June 30, 2020. On or after July 1, 2020, report the date of all tune-ups electronically, in accordance with 40 CFR 63.10031(f). The tune-up report date is the date when tune-up requirements in 40 CFR 63.10021(e)(6) and (7) are completed. [40 CFR 63.10021(e)(9)]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (h) and (i)** and **6. Specific Reporting Requirements (d)(i)(4)**.

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b. The permittee shall be in compliance with the emission limits and operating limits in 40 CFR 63, Subpart UUUUU. These limits apply at all times except during periods of startup and shutdown; however, for coal-fired, liquid oil-fired, or solid oil-derived fuel-fired EGUs, the permittee shall meet the work practice requirements, items 3 and 4, in Table 3 to 40 CFR 63, Subpart UUUUU during periods of startup or shutdown. [40 CFR 63.10000(a)]

c. During startup:

i. The permittee has the option of complying using either of the following work practice standards:

1. If complying using paragraph (1) of the definition of "startup" in 40 CFR 63.10042, the permittee shall operate all continuous monitoring systems (CMS) during startup. Startup means either the first-ever firing of fuel in a boiler for the purpose of producing electricity, or the firing of fuel in a boiler after a shutdown period for any purpose. Startup ends when any of the steam from the boiler is used to generate electricity for sale over the grid or for any other purpose (including on site use). For startup of a unit, the permittee shall use clean fuels as defined in 40 CFR 63.10042 for ignition. Once the unit converts to firing coal, residual oil, or solid oil-derived fuel, the permittee shall engage all of the applicable control technologies except dry scrubber and SCR. The permittee shall start dry scrubber and SCR systems, if present, appropriately to comply with relevant standards applicable during normal operation. The permittee shall comply with all applicable emissions limits at all times except for periods that meet the applicable definitions of startup and shutdown in 40 CFR 63, Subpart UUUUU. The permittee shall keep records during startup periods. The permittee shall provide reports concerning activities and startup periods, as specified in 40 CFR 63.10011(g) and 63.10021(h) and (i).

2. If complying using paragraph (2) of the definition of "startup" in 40 CFR 63.10042, the permittee shall operate all CMS during startup. The permittee shall also collect appropriate data, and shall calculate the pollutant emission rate for each hour of startup. For startup of an EGU, the permittee shall use one or a combination of the clean fuels defined in 40 CFR 63.10042 to the maximum extent possible, taking into account considerations such as boiler or control device integrity, throughout the startup period. The permittee shall have sufficient clean fuel capacity to engage and operate the PM control device within one hour of adding coal, residual oil, or solid oil-derived fuel to the unit. The permittee shall meet the startup period work practice requirements as identified in 40 CFR 63.10020(e). Once the unit starts firing coal, residual oil, or solid oil-derived fuel, the permittee shall vent emissions to the main stack(s). The permittee shall comply with the applicable emission limits beginning with the hour after startup ends. The permittee shall engage and operate particulate matter control(s) within 1 hour of first firing coal, residual oil, or solid oil-derived fuel. The permittee shall start all other applicable control devices as expeditiously as possible, considering safety and manufacturer/supplier recommendations, but, in any case, when necessary to comply with other standards

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made applicable to the EGU by a permit limit or a rule other than 40 CFR 63, Subpart UUUUU that require operation of the control devices.

ii. If the permittee chooses to use just one set of sorbent traps to demonstrate compliance with the applicable Hg emission limit, the permittee shall comply with the limit at all times; otherwise, the permittee shall comply with the applicable emission limit at all times except for startup and shutdown periods.

iii. The permittee shall collect monitoring data during startup periods, as specified in 40 CFR 63.10020(a) and (e). The permittee shall keep records during startup periods, as provided in 40 CFR 63.10031 and 63.10021(h). The permittee shall provide reports concerning activities and startup periods, as specified in 40 CFR 63.10011(g), 63.10021(i), and 63.10031.

[40 CFR 63.9991(a)(1) referencing Item 3. of Table 3 to Subpart UUUUU of Part 63]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (h) and (i)** and **5. Specific Recordkeeping Requirements (i) and (l)**.

d. During shutdown: The permittee shall operate all CMS during shutdown (as defined in 40 CFR 63.10042). The permittee shall collect appropriate data, and shall calculate the pollutant emission rate for each hour of shutdown for those pollutants for which a CMS is used.

i. While firing coal, residual oil, or solid oil-derived fuel during shutdown, the permittee shall vent emissions to the main stack(s) and operate all applicable control devices and continue to operate those control devices after the cessation of coal, residual oil, or solid oil-derived fuel being fed into the EGU and for as long as possible thereafter considering operational and safety concerns. In any case, the permittee shall operate controls when necessary to comply with other standards made applicable to the EGU by a permit limit or a rule other than 40 CFR 63, Subpart UUUUU and that require operation of the control devices.

ii. If, in addition to the fuel used prior to initiation of shutdown, another fuel must be used to support the shutdown process, that additional fuel shall be one or a combination of the clean fuels defined in 40 CFR 63.10042 and shall be used to the maximum extent possible, taking into account considerations such as not compromising boiler or control device integrity.

iii. The permittee shall comply with all applicable emission limits at all times except during startup periods and shutdown periods at which time the permittee shall meet this work practice. The permittee shall collect monitoring data during shutdown periods, as specified in 40 CFR 63.10020(a). The permittee shall keep records during shutdown periods, as provided in 40 CFR 63.10032 and 63.10021(h). Any fraction of an hour in which shutdown occurs constitutes a full hour of shutdown. The permittee shall provide reports concerning activities and shutdown periods, as specified in 40 CFR 63.10011(g), 63.10021(i), and 63.10031.

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[40 CFR 63.9991(a)(1) referencing Item 4. of Table 3 to Subpart UUUUU of Part 63]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (h) and (i)** and **5. Specific Recordkeeping Requirements (i) and (l)**.

e. At all times, operate and maintain the 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. Determination of whether such operation and maintenance procedures are being used will be based on information available to the EPA 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 63.10000(b)]

f. During a startup period or a shutdown period, the permittee shall comply with the work practice standards established in 401 KAR 61:015, Section 9. The affected facility shall meet the work practice standards established in 40 CFR, Part 63, Table 3 to Subpart UUUUU, as established in 401 KAR 63:002, Section 2(4)(yyyy). [401 KAR 61:015, Section 9 and 401 KAR 61:015, Section 9(2)(b)]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **1. Operating Limitations (c) and (d)**.

2. Emission Limitations:

a. Particulate matter (PM) emissions shall not exceed 0.23 lb/MMBtu [401 KAR 61:015, Section 4(1)(a)]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **3. Testing Requirements (a)**.

b. Emissions shall not exceed 40 percent opacity, except: [401 KAR 61:015, Section 4(1)(c)]

i. A maximum of 60 percent opacity shall be permissible for not more than one 6 minute period in any 60 consecutive minutes; and [401 KAR 61:015, Section 4(1)(c)1.]

ii. Emissions from an indirect heat exchanger during building a new fire for the period required to bring the boiler up to operating conditions if the method used is that recommended by the manufacturer and the time does not exceed the manufacturer's recommendations. [401 KAR 61:015, Section 4(1)(c) 3.]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (a)** and **5. Specific Recordkeeping Requirements (b) and (c)**.

c. Sulfur dioxide (SO_2) emissions shall not exceed 3.3 lb/MMBtu based on 24-hour average [401 KAR 61:015, Section 5(1)]. Beginning on June 30, 2012, the permittee shall install and commence continuous operation of FGD technology on Unit 2 so as to achieve, and thereafter maintain, a 30-day Rolling Average SO_2 Removal Efficiency of at least 95

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percent or a 30-Day Rolling Average SO_2 Emission Rate of no greater than 0.100 lb/MMBtu. [Consent Decree entered September 24, 2007, paragraph 65]

Compliance Demonstration Method:
In determining Emission Rates for SO_2, the permittee shall use CEMS in accordance with the procedures specified in Cooper Station Monitoring Plan approved by the USEPA on December 20, 2013 and revised on June 17, 2016, unless otherwise approved by the Permitting Authority and/or USEPA. See also **4. Specific Monitoring Requirements (c)** and **Section D – Source Emission Limitations and Testing Requirements**.

d. Beginning on December 31, 2012, the permittee shall install and commence continuous operation of year-round SCR technology on Unit 2 so as to achieve, and thereafter maintain, a NO_X, 30-Day Rolling Average Emission Rate not greater than 0.080 lb/MMBtu. [Consent Decree entered September 24, 2007, paragraph 53]

Compliance Demonstration Method:
In determining Emission Rates for NO_X, the permittee shall use CEMS in accordance with the procedures specified in the Cooper Station Monitoring Plan approved by USEPA on December 20, 2013 and revised on June 17, 2016, unless otherwise approved by the Permitting Authority and/or USEPA. See also **4. Specific Monitoring Requirements (c)** and **Section D – Source Emission Limitations and Testing Requirements**.

e. Beginning April 15, 2016, filterable particulate matter emissions shall not exceed 0.030 lb/MMBtu. [Consent Decree entered September 24, 2007, paragraph 84]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **3. Testing Requirements (a)** and **Section D – Source Emission Limitations and Testing Requirements**.

f. Filterable PM emissions shall not exceed 0.030 lb/MMBtu. [Kentucky BART SIP]

Compliance Demonstration Method:
Compliance shall be demonstrated according to **3. Testing Requirements (a)** and **Section D – Source Emission Limitations and Testing Requirements**.

g. Emissions from each unit shall not exceed the limitations in the table below [40 CFR 63.9991(a)(1) referencing Item 1. of Table 2 to Subpart UUUUU of Part 63]. If the permittee elects to comply with these emission limitations using emissions averaging, emissions averaging shall be conducted according to 40 CFR 63.10009 and 40 CFR 63.10022.

Pollutant	Emission Limit	Compliance Demonstration
PM	0.030 lb/MMBtu **OR** 0.30 lb/MWh	Quarterly stack testing **OR** PM CEMS. [Table 5., Item 1; and Table 7. also 40 CFR 63.10005.]

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Pollutant	Emission Limit	Compliance Demonstration
OR		
Total non-Hg HAP Metals	0.000050 lb/MMBtu **OR** 0.50 lb/GWh	Quarterly stack testing [Table 5., Item 2; and Table 7. also 40 CFR 63.10005.]
OR		
All of these: Antimony	0.80 lb/TBtu **OR** 0.0080 lb/GWh	Quarterly stack testing for each [Table 5., Item 2; and Table 7. also 40 CFR 63.10005.]
Arsenic	1.1 lb/TBtu **OR** 0.020 lb/GWh	
Beryllium	0.20 lb/TBtu **OR** 0.0020 lb/GWh	
Cadmium	0.30 lb/TBtu **OR** 0.0030 lb/GWh	
Chromium	2.8 lb/TBtu **OR** 0.030 lb/GWh	
Cobalt	0.80 lb/TBtu **OR** 0.0080 lb/GWh	
Lead	1.2 lb/TBtu **OR** 0.020 lb/GWh	
Manganese	4.0 lb/TBtu **OR** 0.050 lb/GWh	
Nickel	3.5 lb/TBtu **OR** 0.040 lb/GWh	
Selenium	5.0 lb/TBtu **OR** 0.060 lb/GWh	
AND		
HCl	0.0020 lb/MMBtu **OR** 0.020 lb/MWh	Quarterly stack testing **OR** HCl/HF CEMS. [Table 5., Item 3; and Table 7. also 40 CFR 63.10005.]
OR		
SO_2	0.20 lb/MMBtu **OR** 1.5 lb/MWh	SO_2 CEMS. [Table 5., Item 3; and Table 7.]

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Pollutant	Emission Limit	Compliance Demonstration
AND		
Hg	1.2 lb/TBtu, **OR** 0.013 lb/GWh	Emissions Testing [Table 5., Item 4 and 40 CFR 63.10005] **OR** Hg CEMS. [Table 5 Item 4, Table 7. and 40 CFR 63.10005.] **OR** Sorbent Trap Monitoring. [Table 5 Item 4, Table 7. and 40 CFR 63.10005.] **OR** LEE Testing [Table 5., Item 4 and 40 CFR 63.10005]

3. Testing Requirements:

a. The permittee shall conduct a PM performance test annually. This requirement may be satisfied by PM performance testing conducted to satisfy other requirements of this permit. The permittee may perform biennial rather than annual testing provided that:

i. Two of the most recently completed test results from tests conducted in accordance with 40 CFR Part 60, Appendix A-1, Method 5 demonstrate that the PM emissions are equal to or less than 0.015 lb/MMBtu or;

ii. The Unit is equipped with a PM CEMS.

The permittee shall perform annual rather than biennial testing the year immediately following any test result demonstrating that the particulate matter emissions are greater than 0.015 lb/MMBtu, unless the Unit is equipped with a PM CEMS. [401 KAR 50:045, Section 1 and Consent Decree entered September 24, 2007, paragraph 86]

b. For EGUs using PM CPMS to monitor continuous performance with an applicable emission limit as provided for under 40 CFR 63.10000(c), the permittee shall conduct all applicable performance tests according to Table 5 to 40 CFR 63, Subpart UUUUU and 40 CFR 63.10007 at least every year. [40 CFR 63.10006(a)]

c. For affected units meeting the LEE requirements of 40 CFR 63.10005(h), the permittee shall repeat the performance test once every 3 years (once every year for Hg) according to Table 5 to 40 CFR 63, Subpart UUUUU and 40 CFR 63.10007. Should subsequent emissions testing results show the unit does not meet the LEE eligibility requirements, LEE status is lost. If this should occur: [40 CFR 63.10006(b)]

i. For all pollutant emission limits except for Hg, the permittee shall conduct emissions testing quarterly, except as otherwise provided in 40 CFR 63.10021(d)(1). [40 CFR 63.10006(b)(1)]

ii. For Hg, the permittee shall install, certify, maintain, and operate a Hg CEMS or a sorbent trap monitoring system in accordance with 40 CFR 63, Subpart UUUUU,

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Appendix A, within 6 calendar months of losing LEE eligibility. Until the Hg CEMS or sorbent trap monitoring system is installed, certified, and operating, the permittee shall conduct Hg emissions testing quarterly, except as otherwise provided in 40 CFR 63.10021(d)(1). To reestablish LEE status, 3 calendar years of testing and CEMS or sorbent trap monitoring system data that satisfy the LEE emissions criteria is required. [40 CFR 63.10006(b)(2)]

d. Except where 40 CFR 63.10006(a) or (b) apply, or where the permittee installs, certifies, and operates a PM CEMS to demonstrate compliance with a filterable PM emissions limit, the permittee shall conduct all applicable periodic test for filterable PM, individual, or total HAP metals emission according to Table 5 to 40 CFR 63, Subpart UUUUU, 40 CFR 63.10007, and 40 CFR 63.10000(c), except as otherwise provided in 40 CFR 63.10021(d)(1). [40 CFR 63.10006(c)]

e. Except where 40 CFR 63.10006(b) applies, EGUs that do not use either an HCl CEMS to monitor compliance with the HCl limit or an SO_2 CEMS to monitor compliance with the alternate equivalent SO_2 emission limit, the permittee shall conduct all applicable periodic HCl emissions tests according to Table 5 to 40 CFR 63, Subpart UUUUU and 40 CFR 63.10007 at least quarterly, except as otherwise provided in 40 CFR 63.10021(d)(1). [40 CFR 63.10006(d)]

f. Time between performance tests [40 CFR 63.10006(f)]

   i. Notwithstanding the provisions of 40 CFR 63.10021(d)(1), and the requirements listed in 40 CFR 63.10006(g) and (h), and the requirements of 40 CFR 63.10006(f)(3), the permittee shall complete performance tests for the EGU as follows: [40 CFR 63.10006(f)(1)].

      1. At least 45 calendar days, measured from the test's end date, shall separate performance tests conducted every quarter [40 CFR 63.10006(f)(1)(i)];

      2. For annual testing: [40 CFR 63.10006(f)(1)(ii)]

         A. At least 320 calendar days, measured from the test's end date, shall separate performance tests [40 CFR 63.10006(f)(1)(ii)(A)];

         B. At least 320 calendar days, measured from the test's end date, shall separate annual sorbent trap mercury testing for 30-boiler operating day LEE tests [40 CFR 63.10006(f)(1)(ii)(B)];

         C. At least 230 calendar days, measured from the test's end date, shall separate annual sorbent trap mercury testing for 90-boiler operating day LEE tests; and [40 CFR 63.10006(f)(1)(ii)(C)]

      3. At least 1,050 calendar days, measured from the test's end date, shall separate performance tests conducted every 3 years. [40 CFR 63.10006(f)(1)(iii)]

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ii. For units demonstrating compliance through quarterly emission testing, the permittee shall conduct a performance test in the 4th quarter of a calendar year if the EGU has skipped performance tests in the first 3 quarters of the calendar year. [40 CFR 63.10006(f)(2)]

iii. If the EGU misses a performance test deadline due to being inoperative and if 168 or more boiler operating hours occur in the next test period, the permittee shall complete an additional performance test in that period as follows: [40 CFR 63.10006(f)(3)]

1. At least 15 calendar days shall separate two performance tests conducted in the same quarter. [40 CFR 63.10006(f)(3)(i)]

2. At least 107 calendar days shall separate two performance tests conducted in the same calendar year. [40 CFR 63.10006(f)(3)(ii)]

3. At least 350 calendar days shall separate two performance tests conducted in the same 3 year period. [40 CFR 63.10006(f)(3)(iii)]

g. Performance tests conducted for 40 CFR 63, Subpart UUUUU shall be conducted according to 40 CFR 63.10007 and Table 5 to 40 CFR 63, Subpart UUUUU. [40 CFR 63.10005(b) and 63.10006]

4. Specific Monitoring Requirements:

a. The permittee shall install, calibrate, operate, and maintain a continuous opacity monitoring (COM) system for accurate opacity measurement. Excluding exempted time periods, if any six-minute average opacity value exceeds the opacity standard, the permittee shall, as appropriate: [401 KAR 61:005, Section 3; 40 CFR 60, Appendix B, Performance Specification 1; and 401 KAR 52:020, Section 10]

i. Accept the concurrent readout from the COM and perform an inspection of the control equipment and make any necessary repairs; or

ii. Within 30 minutes after the COM indicates exceedance of the opacity standard, determine opacity using U.S. EPA Reference Method 9:

1. If emissions are visible, inspect the COM and/or the control equipment and make any necessary repairs.

2. If a U.S. EPA Reference Method 9 cannot be performed, the reason for not performing the reading shall be documented.

b. To meet the monitoring requirement for PM, the permittee shall us a continuous emission monitoring system (CEMS) as an indicator of particulate matter emission as directed in Table 2. [40 CFR 64.4(a)(1)]

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TABLE 2 - MONITORING APPROACH

CAM Monitoring Approach		Indicator #1
I.	**Indicator**	**PM Emission Rate**
A.	Measurement Approach	Continuous measurement of PM emission rate from the common baghouse outlet duct.
II.	**Indicator Range**	An excursion is defined as a PM CEMS response that exceeds 0.027 lb/MMBtu for any six hour block average operating period excluding startup, shutdown, or malfunction. If five percent or greater of the CEM data recorded in a calendar quarter show excursions above the pressure drop indicator level, the permittee triggers the threshold for a QIP.
III.	**Performance Criteria**	
A.	Data Representativeness	The one-minute averages recorded by the PM CEMS are reduced to one-hour averages and one-hour lb/MMBtu emission rates are calculated by the DAHS
B.	Verification of Operational Status	N/A
C.	QA/QC Practices and Criteria	Daily zero and span checks will be completed and documented. The instrument is recalibrated if the zero or span value exceeds ±4% of the reference value. Absolute Correlation Audits (ACA) and Relative Correlation Audits (RCA) are completed according to the procedures of 40 CFR 60, Appendix F, Procedure 2.
D.	Monitoring Frequency	Continuous measurement of PM emission rate.
IV.	**Data Collection Procedures**	One-hour averages and one-hour lb/MMBtu PM emission rates shall be kept in a form readily available for inspection.
V.	**Averaging Period**	PM emission rates shall be reported as one-hour averages and one-hour lb/MMBtu
VI.	**Recordkeeping**	PM emission rates shall be maintained for a period of 5 years.
VII.	**Reporting**	The number, the duration, the cause of, and corrective action taken as a result of excursion.

If five percent or greater of the CEM data (six-hour average of PM values) recorded in a calendar quarter show excursions above the PM indicator level, the permittee shall perform a stack test in the following calendar quarter to demonstrate compliance with the particulate matter standard while operating at representative conditions. The permittee shall submit a compliance test protocol as pursuant to 401 KAR 50:045, Performance Tests, before

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conducting the test. The Division may waive this testing requirement upon a determination that the cause(s) of the excursions have been corrected, or may require stack tests at any time pursuant to 401 KAR 50:045, Performance Tests.

c. The permittee shall install, calibrate, maintain and operate CEMS for measuring NO_x, SO_2, and either oxygen or carbon dioxide emissions. Excluding exempted time periods, if any 24-hour average sulfur dioxide value exceeds the standard, the permittee shall, as appropriate, initiate an investigation of the cause of the exceedance and/or the CEM system and make any necessary repairs or take corrective actions as soon as practicable.[401 KAR 61:005, Section 3; 40 CFR 60, Appendix B, Performance Specification 2; 40 CFR 75, Appendix A; and 401 KAR 52:020, Section 10]

d. The sulfur content of solid fuels, as burned shall be determined at least once per week in accordance with methods specified by the Division. [401 KAR 61:015, Section 6(1)]

e. The permittee shall meet the monitoring requirements of 401 KAR 61:015, Section 6(3) according to the following:

   i. The rate of each fuel burned shall be measured daily and recorded. [401 KAR 61:015, Section 6(3)(a)]

   ii. The heating value and ash content of fuels shall be ascertained at least once per week and recorded. [401 KAR 61:015, Section 6(3)(b)]

   iii. The average electrical output and the minimum and maximum hourly generation rate shall be measured and recorded daily. [401 KAR 61:015, Section 6(3)(c)]

f. During periods of monitoring system malfunction, a temporary exemption from the monitoring and reporting requirements of 401 KAR 61:005, Section 3 may be provided pursuant to 401 KAR 50:055 if the permittee demonstrates that the malfunction was unavoidable and is being repaired as expeditiously as practicable. [401 KAR 61:005, Section 3(4)]

g. The permittee shall monitor the duration of startups. [401 KAR 52:020, Section 10]

h. The permittee shall comply with all applicable monitoring requirements of 40 CFR 63.10010, 40 CFR 63.10011, 40 CFR 63.10020, and 40 CFR 63.10021.

i. The permittee shall monitor and collect data according to 40 CFR 63.10020 and the site-specific monitoring plan required by 40 CFR 63.10000(d) [40 CFR 63.10020(a)].

   i. The permittee shall operate the monitoring system and collect data at all required intervals at all times that the affected EGU is operating, except for periods of monitoring system malfunctions or out-of-control periods (see 40 CFR 63.8(c)(7)), and required monitoring system quality assurance or quality control activities, including, as applicable, calibration checks and required zero and span adjustments. The permittee is required to affect monitoring system repairs in response to monitoring system

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malfunctions and to return the monitoring system to operation as expeditiously as practicable. [40 CFR 63.10020(b)]

ii. The permittee may not use data recorded during EGU startup or shutdown in calculations used to report emissions, except as otherwise provided in 40 CFR 63.10000(c)(1)(vi)(B) and 63.10005(a)(2)(iii). In addition, data recorded during monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, or required monitoring system quality assurance or control activities may not be used in calculations used to report emissions or operating levels. The permittee shall use all of the quality-assured data collected during all other periods in assessing the operation of the control device and associate control system. [40 CFR 63.10020(c)]

iii. Except for periods of monitoring system malfunctions or monitoring system out-of-control periods, repairs associated with monitoring system malfunctions or monitoring system out-of-control periods, and required monitoring system quality assurance or quality control activities including, as applicable, calibration checks and required zero and span adjustments, failure to collect required data is a deviation from the monitoring system requirements [40 CFR 63.10020(d)].

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain a file of all information reported in the quarterly summaries, with the exception that records shall be maintained for 5 years. [401 KAR 61:005, Section 3(15)(g); 401 KAR 61:015, Section 6(4); and 401 KAR 52:020, Section 10]

b. The permittee shall maintain records of:

i. The sulfur content from each fuel analysis;

ii. The rate of fuel burned for each fuel type, on a daily basis;

iii. The heating value and ash content on a weekly basis;

iv. The average electrical output and the minimum and maximum hourly generation rate on a daily basis;

v. When no excess emissions have occurred and the continuous monitoring system(s) have not been inoperative, repaired, or adjusted;

vi. Data collected either by the continuous monitoring systems or as necessary to convert monitoring data to the units of the applicable standard;

vii. Results of all compliance tests; and

viii. Percentage of the CEM data (excluding exempted time periods) showing excursions above the PM standard and the PM indicator level.

[401 KAR 52:020, Section 10]

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

c. The permittee shall maintain records of U.S. EPA Reference Method 9 readings in a designated logbook and/or electronic format. Records shall be maintained for five years. [401 KAR 52:020, Section 10]

d. In the event of start-up, the permittee shall maintain records of: [401 KAR 52:020, Section 10 and 401 KAR 61:015]

   i. The duration of start-up;

   ii. The type of start-up (cold, warm, or hot); and

   iii. Whether or not the duration of the start-up exceeded the manufacturer's recommendation or typical, historical durations, and if so, an explanation of why the start-up exceeded recommended or typical durations.

e. The permittee shall keep records according to 40 CFR 63.10032(a)(1) and (2). If required or electing to continuously monitor Hg and/or HCl and/or HF emissions, the permittee shall also keep the records required under 40 CFR 63, Subpart UUUUU, Appendix A and/or Appendix B. [40 CFR 63.10032(a)]

   i. A copy of each notification and report submitted to comply with 40 CFR 63, Subpart UUUUU, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report submitted according to the requirements in 40 CFR 63.10(b)(2)(xiv) [40 CFR 63.10032(a)(1)].

   ii. Records of performance stack tests, fuel analyses, or other compliance demonstrations and performance evaluations, as required in 40 CFR 63.10(b)(2)(viii) [40 CFR 63.10032(a)(2)].

f. For each CEMS and CPMS used for 40 CFR 63, Subpart UUUUU, the permittee shall keep records according to 40 CFR 63.10032(b)(1) through (4) [40 CFR 63.10032(b)].

   i. Records described in 40 CFR 63.10(b)(2)(vi) through (xi) [40 CFR 63.10032(b)(1)].

   ii. Previous (i.e., superseded) versions of the performance evaluation plan as required in 40 CFR 63.8(d)(3) {40 CFR 63.10032(b)(2)].

   iii. Request for alternatives to relative accuracy test for CEMS as required in 40 CFR 63.8(f)(6)(i) [40 CFR 63.10032(b)(3)].

   iv. Records of the date and time that each deviation started and stopped, and whether the deviation occurred during a period of startup, shutdown, or malfunction or during another period [40 CFR 63.10032(b)(4)].

g. The permittee shall keep the records required in Table 7 to 40 CFR 63, Subpart UUUUU including records of all monitoring data and calculated averages for applicable PM CPMS operating limits to show continuous compliance with each emission limit and operating limit applicable to the unit [40 CFR 63.10032(c)].

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

h. For each EGU subject to an emission limit, the permittee shall also keep the records in 40 CFR 63.10032(d)(1) through (3) [40 CFR 63.10032(d)].

i. Records of monthly fuel use by each EGU, including the type(s) of fuel and amount(s) used [40 CFR 63.10032(d)(1)].

ii. If non-hazardous secondary materials that have been determined not to be solid waste pursuant to 40 CFR 241.3(b)(1) are combusted, the permittee shall keep a record which documents how the secondary material meets each of the legitimacy criteria. If a fuel that has been processed from a discarded non-hazardous secondary material pursuant to 40 CFR 241.3(b)(2) is combusted, the permittee shall keep records as to how the operations that produced the fuel satisfies the definition of processing in 40 CFR 241.2. If the fuel received a non-waste determination pursuant to the petition process submitted under 40 CFR 241.3(c), the permittee shall keep a record which documents how the fuel satisfies the requirements of the petition process. [40 CFR 63.10032(d)(2)]

iii. For an EGU that qualifies as LEE under 40 CFR 63.10005(h), the permittee shall keep annual records that document that emissions in the previous stack test(s) continue to qualify the unit for LEE status for an applicable pollutant, and document that there was no change in source operations including fuel composition and operation of air pollution control equipment that would cause emissions of the pollutant to increase within the past year [40 CFR 63.10032(d)(3)].

i. Regarding startup periods or shutdown periods: [40 CFR 63.10032(f)]

i. If relying on paragraph (1) of the definition of "startup" in 40 CFR 63.10042 for the EGU, the permittee shall keep records of the occurrence and duration of each startup or shutdown [40 CFR 63.10032(f)(1)].

ii. If relying on paragraph (2) of the definition of "startup" in 40 CFR 63.10042 for the EGU, the permittee shall keep records of: [40 CFR 63.10032(f)(2)]

1. The determination of the maximum possible clean fuel capacity for each EGU [40 CFR 63.10032(f)(2)(i)].

2. The determination of the maximum possible hourly clean fuel heat input and of the hourly clean fuel heat input for each EGU [40 CFR 63.10032(f)(2)(ii)].

3. The information required in 40 CFR 63.10020(e) [40 CFR 63.10032(f)(2)(iii)].

A. During each period of startup, the permittee shall record for each EGU [40 CFR 63.10020(e)(1)]:

I. The date and time that clean fuels being combusted for the purpose of startup begins [40 CFR 63.10020(e)(1)(i)];

II. The quantity and heat input of clean fuel for each hour of startup [40 CFR 63.10020(e)(1)(ii)];

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

III. The gross output for each hour of startup [40 CFR 63.10020(e)(1)(iii)];

IV. The date and time that non-clean fuel combustion begins; and [40 CFR 63.10020(e)(1)(iv)]

V. The date and time that clean fuels being combusted for the purpose of startup ends [40 CFR 63.10020(e)(1)(v)].

B. During each period of shutdown, the permittee shall record for each EGU [40 CFR 63.10020(e)(2)]:

I. The date and time that clean fuels being combusted for the purpose of shutdown begins [40 CFR 63.10020(e)(2)(i)];

II. The quantity and heat input of clean fuel for each hour of shutdown [40 CFR 63.10020(e)(2)(ii)];

III. The gross output for each hour of shutdown [40 CFR 63.10020(e)(2)(iii)];

IV. The date and time that non-clean fuel combustion ends; and [40 CFR 63.10020(e)(2)(iv)]

V. The date and time that clean fuels being combusted for the purpose of shutdown ends [40 CFR 63.10020(e)(2)(v)].

C. For PM or non-mercury HAP metals work practice monitoring during startup periods, the permittee shall monitor and collect data according to 40 CFR 63.10020(e)(3) and the site-specific monitoring plan required by 40 CFR 63.10010(l) [40 CFR 63.10020(e)(3)].

j. The permittee shall keep records of the occurrence and duration of each malfunction of an operation (i.e., process equipment) or the air pollution control and monitoring equipment [40 CFR 63.10032(g)].

k. The permittee shall keep records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.10000(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 63.10032(h)].

l. The permittee shall keep records of the type(s) and amount(s) of fuel used during each startup or shutdown [40 CFR 63.10032(i)].

m. Records kept for 40 CFR 63, Subpart UUUUU shall be in a form suitable and readily available for expeditious review, according to 40 CFR 63.10(b)(1). As specified in 40 CFR 63.10(b)(1), the permittee shall keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. The permittee shall keep each record on site for at least 2 years after the date of each occurrence,

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

measurement, maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1). Records can be kept off site for the remaining 3 years. [40 CFR 63.10033]

n. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

6. Specific Reporting Requirements:

a. The permittee shall submit, in writing to the cabinet, for every calendar quarter, a written report of excess emissions including the nature and cause of the excess emissions, if known, as follows: [401 KAR 61:005, Section 3(15)]

i. The averaging period used for data reporting shall correspond to the averaging period specified in the emission test method used to determine compliance with an emission standard for the applicable pollutant and source category, and quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter; [401 KAR 61:005, Section 3(15)(a)]

ii. For opacity measurements, the summary shall consist of the magnitude in actual percent opacity of 6 minute averages of opacity greater than the opacity standard in the applicable standard for each hour of operation of the facility, as follows: [401 KAR 61:005, Section 3(15)(b)]

1. Average values may be obtained by integration over the averaging period or by arithmetically averaging a minimum of four equally spaced, instantaneous opacity measurements per minute; [401 KAR 61:005, Section 3(15)(b)1.]

2. All exempted time periods shall be considered before determining the excess average of opacity (for example, if an administrative regulation allows 2 minutes of opacity measurements in excess of the standard, the source shall report all opacity averages, in any 1 hour, in excess of the standard, minus the 2 minute exemption); and [401 KAR 61:005, Section 3(15)(b)2.]

3. If more than one opacity standard applies, excess emissions data shall be submitted in relation to all applicable standards; [401 KAR 61:005, Section 3(15)(b)3.]

iii. For gaseous measurements, the summary shall consist of hourly averages expressed in the units of the applicable standard. The hourly averages may be provided in electronic format, if available; and [401 KAR 61:005, Section 3(15)(d)]

iv. Except for zero and span checks, the date and time of each period during which the CEMS was not operating, including proof of CEMS performance during system repairs and the nature of the repairs or adjustments.[401 KAR 61:005, Section 3(15)(e)]

b. The permittee shall report the number of excursions (excluding exempted time periods) above the PM indicator level, date and time of excursions, PM value of the excursions, and percentage of the CEM data showing excursions above the PM indicator level in each calendar quarter. [40 CFR Part 64 and 401 KAR 52:020, Section 10]

c. In the event of start-up, the permittee shall report:

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

i. The duration of start-up;

ii. The type of start-up (cold, warm, or hot); and

iii. Whether or not the duration of the start-up exceeded the manufacturer's recommendation or typical, historical durations, and if so, an explanation of why the start-up exceeded recommended or typical durations.

[401 KAR 52:020, Section 10 and 401 KAR 61:015]

d. The permittee shall submit a compliance report which shall contain: [40 CFR 63.10031(a) referencing Item 1. of Table 8 to Subpart UUUUU of Part 63]

i. The compliance report shall contain the information required in 40 CFR 63.10031(c)(1) through (9).

1. The information required by the summary report located in 40 CFR 63.10(e)(3)(vi) [40 CFR 63.10031(c)(1)].

2. The total fuel use by each affected source subject to an emission limit, for each calendar month within the semiannual reporting period, including, but not limited to, a description of the fuel, whether the fuel has received a non-waste determination by EPA or the permittee's basis for concluding that the fuel is not a waste, and the total fuel usage amount with units of measure [40 CFR 63.10031(c)(2)].

3. Indicate whether new types of fuel were burned during the reporting period. If new types of fuel were burned, the permittee shall include the date of the performance test where that fuel was in use. [40 CFR 63.10031(c)(3)]

4. Include the date of the most recent tune-up for each EGU. The date of the tune-up is the date the tune-up provisions specified in 40 CFR 63.10021(e)(6) and (7) were completed. [40 CFR 63.10031(c)(4)]

5. If relying on paragraph (2) of the definition of "startup" in 40 CFR 63.10042 for the EGU, for each instance of startup or shutdown the permittee shall: [40 CFR 63.10031(c)(5)]

A. Include the maximum clean fuel storage capacity and the maximum hourly heat input that can be provided for each clean fuel determined according to the requirements of 40 CFR 63.10032(f) [40 CFR 63.10031(c)(5)(i)].

B. Include the information required to be monitored, collected, or recorded according to the requirements of 40 CFR 63.10020(e) [40 CFR 63.10031(c)(5)(ii)].

C. If using CEMS to demonstrate compliance with numerical limits, include hourly average CEMS values and hourly average flow values during startup periods or shutdown periods. Use units of milligrams per cubic meter for PM

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

CEMS values, micrograms per cubic meter for Hg CEMS values, and ppmv for HCl, HF, or SO2 CEMS values. Use units of standard cubic meters per hour on a wet basis for flow values. [40 CFR 63.10031(c)(5)(iii)]

D. If using a separate sorbent trap measurement system for startup or shutdown reporting periods, include hourly average mercury concentration values in terms of micrograms per cubic meter [40 CFR 63.10031(c)(5)(iv)].

E. If using a PM CPMS, include hourly average operating parameter values in terms of the operating limit, as well as the operating parameter to PM correlation equation [40 CFR 63.10031(c)(5)(v)].

6. Emergency bypass information annually from EGUs with LEE status [40 CFR 63.10031(c)(6)].

7. A summary of the results of the annual performance tests and documentation of any operating limits that were reestablished during the test, if applicable. If stack tests are conducted once every 3 years to maintain LEE status, consistent with 40 CFR 63.10006(b), the date of each stack test conducted during the previous 3 years, a comparison of emission level achieved in each stack test conducted during the previous 3 years to the 50 percent emission limit threshold required in 40 CFR 63.10005(h)(1)(i), and a statement as to whether there have been any operational changes since the last stack test that could increase emissions. [40 CFR 63.10031(c)(7)]

8. A certification [40 CFR 63.10031(c)(8)].

9. If there was a deviation from any emission limit, work practice standard, or operating limit, the permittee shall also submit a brief description of the deviation, the duration of the deviation, emissions point identification, and the cause of the deviation [40 CFR 63.10031(c)(9)].

ii. If there are no deviations from any emission limitation (emission limit and operating limit) applicable to the EGU and there are no deviations from the requirements for work practice standards in Table 3 to 40 CFR 63, Subpart UUUUU, a statement that there were no deviations from the emission limitations and work practice standards during the reporting period. If there were no periods during which the CMSs, including continuous emissions monitoring system, and operating parameter monitoring systems, were out-of-control as specified in 40 CFR 63.8(c)(7), a statement that there were no periods during which the CMSs were out-of-control during the reporting period. [40 CFR 63.10031(a) referencing Item 1.b. of Table 8 to Subpart UUUUU of Part 63]

iii. If there is a deviation from any emission limitation (emission limit and operating limit) or work practice standard during the reporting period, the report shall contain the information in 40 CFR 63.10031(d). If there were periods during which the CMSs, including continuous emissions monitoring systems and continuous parameter monitoring systems, were out-of-control, as specified in 40 CFR 63.8(c)(7), the report

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

shall contain the information in 40 CFR 63.10031(e). [40 CFR 63.10031(a) referencing Item 1.c. of Table 8 to Subpart UUUUU of Part 63]

iv. If there was a malfunction during the reporting period, the compliance report shall include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded [40 CFR 63.10031(g)].

e. The permittee shall submit reports to U.S. EPA as required by 40 CFR 63.10031(f).

f. See Section F – Monitoring, Recordkeeping, and Reporting Requirements.

7. Specific Control Equipment Operating Conditions:

a. The pulse jet fabric filter baghouse shall be continuously operated to maximize PM emission reductions, consistent with manufacturer's specification, the operational design and maintenance limitations of the units, and good engineering practice. [Consent Decree entered September 24, 2007, Section VII.A]

b. Beginning on December 31, 2012, the permittee shall continuously operate the SCR at all times that Unit 2 is in operation, consistent with the technological limitations, manufacturers' specifications, and good engineering and maintenance practices for the SCR for minimizing emissions to the extent practicable. [Consent Decree entered September 24, 2007, paragraph 55]

c. Beginning on June 30, 2012, the permittee shall continuously operate the FGD at all times that Unit 2 is in operation, consistent with the technological limitations, manufacturers' specifications, and good engineering and maintenance practices for the FGD or equivalent technology, for minimizing emissions to the extent practicable. [Consent Decree entered September 24, 2007, paragraph 67]

d. The permittee shall maintain records regarding the maintenance of the control equipment. [401 KAR 52:020, Section 10]

e. See **Section E – Source Control Equipment Requirements**.

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

Emissions Unit 03: **Coal Handling Operations**

Description:	Truck and railcar unloading, receiving hoppers (two), coal conveyers/transfer points (five), reclaim hoppers, crusher (one), coal stacker, coal stockpile, and yard area.
Maximum Continuous Rating:	600 tons/hr
Control Devices:	DusTreat CF9156 and DusTreat DC6109; additives to reduce fugitive emissions.
Construction Commenced:	Prior to 1970

APPLICABLE REGULATIONS:
401 KAR 63:010, *Fugitive emissions*

1. **Operating Limitations:**
   The permittee shall not cause, suffer, or allow any material to be handled, processed, transported, or stored; a building or its appurtenances to be constructed, altered, repaired, or demolished, or a road to be used without taking reasonable precaution to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, when applicable, but not be limited to the following: [401 KAR 63:010, Section 3(1)]
   a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land; [401 KAR 63:010, Section 3(1)(a)]

   b. Application and maintenance of asphalt, oil, water, or suitable chemicals on roads, materials stockpiles, and other surfaces which can create airborne dusts; [401 KAR 63:010, Section 3(1)(b)]

   c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials, or the use of water sprays or other measures to suppress the dust emissions during handling. Adequate containment methods shall be employed during sandblasting or similar operations. [401 KAR 63:010, Section 3(1)(c)]

   d. Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne; [401 KAR 63:010, Section 3(1)(d)]

   e. The maintenance of paved roadways in a clean condition; [401 KAR 63:010, Section 3(1)(e)]

   f. The prompt removal of earth or other material from a paved street which earth or other material has been transported thereto by trucking or earth moving equipment or erosion by water. [401 KAR 63:010, Section 3(1)(f)]

   Compliance Demonstration Method:
   Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (b)** and **5. Specific Recordkeeping Requirements (b)**.

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

2. Emission Limitations:

The permittee shall not cause or permit the discharge of visible fugitive dust emissions beyond the lot line of the property on which the emissions originate. [401 KAR 63:010, Section 3(2)]

Compliance Demonstration Method:

Compliance shall be demonstrated according to **1. Operating Limitations**.

3. Testing Requirements:

N/A

4. Specific Monitoring Requirements:

a. The permittee shall monitor the amount of coal (tons) received and processed through each piece of conveying or handling equipment, including stockpiles, on a weekly basis. [401 KAR 52:020, Section 10]

b. The permittee shall conduct daily visual observations to ensure units are operating as intended for control of fugitive dust emissions. [401 KAR 52:020, Section 10]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of the amount of coal (tons) received and processed through each piece of conveying or handling equipment, including stockpiles, on a weekly basis. [401 KAR 52:020, Section 10]

b. The permittee shall maintain a record of daily visual observations, corrective actions taken, if any, the date of the observations (mm/dd/yyyy) and the initials of the observer. [401 KAR 52:020, Section 10]

c. The permittee shall keep records onsite with hard or electronic copies (whichever is requested) of the logbook available to the Division upon request. [401 KAR 52:020, Section 10]

d. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

6. Specific Reporting Requirements:

See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

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

Emissions Unit 04: **Unit 2 Cooling Tower**

Description:
Maximum Continuous Rating: 150,000 gallons/minute (circulating water)
Control Device: Drift Eliminators
Drift Rate: 0.0005%
Construction Commenced: 2007

APPLICABLE REGULATIONS:
401 KAR 59:010, *New process operations*

NON-APPLICABLE REGULATIONS:
401 KAR 63:002, Section 2(4)(j), 40 C.F.R. 63.400 to 63.407, Table 1 (**Subpart Q**), *National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers*

1. **Operating Limitations:**
   The permittee shall not use chromium-based water treatment chemicals in the cooling towers [40 CFR 63.402]

2. **Emission Limitations:**
   a. The permittee shall not emit any continuous emission into the open air from a control device or stack which is equal to or greater than 20 percent opacity. [401 KAR 59:010, Section 3(1)(a)]

   b. Particulate matter emissions shall not exceed the limit determined according to the following table, where P is the process weight rate in tons/hr and E is the maximum allowable emission rate in lbs/hr.

Process Weight Rate (tons/hr)	Emission Limit (lbs/hr)
$P \leq 0.5$	$E = 2.34$
$0.5 < P \leq 30$	$E = 3.59P^{0.62}$
$P > 30$	$E = 17.31P^{0.16}$

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

   Compliance Demonstration Method:
   The permittee is assumed to be in compliance with the applicable opacity and particulate matter emission standard. [401 KAR 50:045, Section 4(3)(c)1.]

3. **Testing Requirements:**
   Testing shall be conducted at such times as may be requested by the Cabinet [401 KAR 50:045, Section 4].

4. **Specific Monitoring Requirements:**
   The permittee shall monitor total dissolved solids content of the circulating water on a monthly basis. [401 KAR 52:020, Section 10]

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

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of the maximum pumping capacity and monthly records of the total dissolved solids content. [401 KAR 52:020, Section 10]

b. The permittee shall maintain records of the manufacturer's design of the drift eliminators. [401 KAR 52:020, Section 10]

6. Specific Reporting Requirements:

See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

7. Specific Control Equipment Operating Conditions:

See **Section E – Source Control Equipment Requirements**.

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

Emissions Unit 05: **Two Fly Ash and Lime Waste Silos A and B (Pneumatic Loading)**

Description:
Maximum Continuous Rating: 31 tons/hr (each)
Control Device: Fabric Filter Baghouse for each silo
Construction Commenced: 1993

APPLICABLE REGULATIONS:
40 CFR Part 64, *Compliance Assurance Monitoring* (For PM)
401 KAR 59:010, *New process operations*

1. **Operating Limitations:**
   N/A

2. **Emission Limitations:**
   a. The permittee shall not emit any continuous emission into the open air from a control device or stack which is equal to or greater than 20 percent opacity based on a 6-minute averaging period. [401 KAR 59:010, Section 3(1)(a)]

      Compliance Demonstration Method:
      Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (c)**.

   b. Particulate matter emissions shall not exceed the limit determined according to the following table, where P is the process weight rate in tons/hr and E is the maximum allowable emission rate in lbs/hr.

Process Weight Rate (tons/hr)	Emission Limit (lbs/hr)
$P \leq 0.5$	$E = 2.34$
$0.5 < P \leq 30$	$E = 3.59P^{0.62}$
$P > 30$	$E = 17.31P^{0.16}$

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

      Compliance Demonstration Method:
      The permittee may assure compliance with the particulate standard by calculating emissions using the following formula:

$$\frac{lb\ PM}{hour} = \frac{Monthly\ Material\ Processed\ (tons)}{Monthly\ Hours\ of\ Operation} \times Emission\ Factor\ \left(\frac{lb\ PM}{ton}\right)$$

      Emission Factor = 0.27 lb PM/ton or Division approved factor obtained during testing.

3. **Testing Requirements:**
   Testing shall be conducted at such times as may be required by the Cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 4.

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

4. Specific Monitoring Requirements:

a. The permittee shall monitor the amount (tons) of material processed on a monthly basis. [401 KAR 52:020, Section 10]

b. The permittee shall monitor the hours of operation on a monthly basis. [401 KAR 52:020, Section 10]

c. The permittee shall comply with the requirements specified in Table 3, below, to monitor emissions of particulate matter: [40 CFR Part 64]

TABLE 3 - MONITORING APPROACH

CAM Monitoring Approach		Indicator #1	Indicator #2
I.	**Indicator**	**Pressure Drop**	**Opacity**
A.	Measurement Approach	Differential pressure at each control device shall be monitored using a continuous differential pressure monitor	When the emission unit is operating, conduct a weekly qualitative visual observation (QVO) or after any pressure drop 15 minute average is outside its range (excluding startup and shutdown periods), conduct a QVO as soon as practical. If visible emissions are observed, conduct an U.S. EPA Reference Method 9.
II.	**Indicator Range**	An excursion is defined as a control device operation parameter 15-minute average outside the indicator range of 2.0 and 6.0 inches of water during operation of the dust collector (excluding startup and shutdown periods). An excursion triggers an inspection of the control equipment and a qualitative visual observation (QVO) as soon as practical. If five percent or greater of the CEM data recorded in a calendar quarter show excursions above the pressure drop indicator	An excursion is defined as one 6 minute average opacity reading collected using U.S. EPA Reference Method 9 that is above 20% opacity

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

		level, the permittee triggers the threshold for a QIP.	
III.	**Performance Criteria**		
A.	Data Representativeness	The one-minute averages recoded by the Data Acquisition Handling System (DAHS) are reduced to 15-minue averages.	U.S. EPA Reference Method 9 observation logs will be maintained and audited to ensure visual emission readings are conducted.
B.	Verification of Operational Status	The system is recalibrated to zero when the dust collection system is shut down for maintenance.	N/A
C.	QA/QC Practices and Criteria	Control device monitored parameters will be maintained and operated consistent with manufacturer recommendations.	U.S. EPA Reference Method 9 readings will be performed by individuals certified in reading Method 9.
D.	Monitoring Frequency	Control device differential pressure shall be monitored continuously.	Qualitative visual observations, if visible emissions present, conduct an U.S. EPA Reference Method 9 observation of the stack plume
IV.	**Data Collection Procedures**	Differential pressure readings shall be kept in a form readily available for inspection. Excursions of the operating range will be specifically identified.	Qualitative visual observations shall be kept in a form readily available for inspection.
V.	**Averaging Period**	Control device differential pressure shall be reported as 15-minute averages, excluding startup and shutdown periods.	U.S. EPA Reference Method 9 readings shall be reported as 6-minute averages.
VI.	**Recordkeeping**	Control device operating parameters shall be maintained for a period of 5 years	U.S. EPA Reference Method 9 readings shall be maintained for a period of 5 years.
VII.	**Reporting**	Any excursions of the control device differential pressure readings will be included in the semiannual	The number, the duration, the cause of, and corrective action taken as a result of excursion.

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

		report. The number, the duration, the cause of, and corrective action taken as a result of any excursion.	

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of the process weight rate (tons) on a monthly basis. [401 KAR 52:020, Section 10]

b. The permittee shall maintain records of the hours of operation on a monthly basis. [401 KAR 52:020, Section 10]

c. The permittee shall record each excursion, excursion follow-up, and any QA/QC procedures, including dates and any corrective actions taken, in a logbook (in written or electronic format). The permittee shall keep the logbook onsite and make hard or electronic copies (whichever is requested) of the logbook available to the Division upon request. [40 CFR Part 64 and 401 KAR 52:020, Section 10]

d. The permittee shall maintain records related to pressure drop (or other continuous recording device) charts and shall keep the logbook onsite and make hard or electronic copies (whichever is requested) of the logbook available to the Division upon request. [40 CFR Part 64 and 401 KAR 52:020, Section 10]

6. Specific Reporting Requirements:

See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

7. Specific Control Equipment Operating Conditions:

a. The permittee shall maintain records regarding the maintenance of the baghouses. [401 KAR 52:020, Section 10]

b. See **Section E – Source Control Equipment Requirements**.

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

Emissions Unit 07: **Coal Crushing Facility (Run of Mine Coal Handling Facility)**

Description: Equipment includes: A & T Model 425 Feeder, Crusher Feeder Conveyor, Jeffrey Model 59FT Flextooth Crusher, Crushed Coal Conveyor and Discharge Chute

Maximum Continuous Rating: 400 tons/hr

Construction Commenced: December 1998

APPLICABLE REGULATIONS:

401 KAR 60:005, Section 2(2)(gg), 40 C.F.R. 60.250 to 60.258 (**Subpart Y**), *Standards of Performance for Coal Preparation and Processing Plants*

1. **Operating Limitations:**
   N/A

2. **Emission Limitations:**
   The permittee shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater. [40 CFR 60.254(a)]

3. **Testing Requirements:**
   The permittee shall determine opacity on a monthly basis using U.S. EPA Reference Method 9 of Appendix A-4 and the procedures in 40 CFR 60.11 as specified in 40 CFR 60.257(a)(1) through (3). [40 CFR 60.255]

4. **Specific Monitoring Requirements:**
   a. The permittee shall perform a qualitative visual observation of the emissions from each unit on a weekly basis while in operation. If visible emissions are present, then the opacity shall be determined by U.S. EPA Reference Method 9. [401 KAR 52:020, Section 10]

   b. The permittee shall monitor the amount of coal (tons) processed on a monthly basis. [401 KAR 52:020, Section 10]

5. **Specific Recordkeeping Requirements:**
   a. The permittee shall maintain records of weekly qualitative visual observations and any U.S. EPA Reference Method 9 readings performed. [401 KAR 52:020, Section 10]

   b. The permittee shall maintain records of the amount of coal (tons) processed on a monthly basis. [401 KAR 52:020, Section 10]

   c. See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

6. **Specific Reporting Requirements:**
   See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

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

Emissions Unit 08: **Emergency Diesel Generator**

Description:	CAT 3516, internal combustion engine
Fuel:	No. 2 Diesel Fuel Oil
Maximum Continuous Rating:	12.18 MMBtu/hr
Construction Commenced:	1998

APPLICABLE REGULATIONS:

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

Note: D.C. Circuit Court [*Delaware v. EPA*, 785 F. 3d 1 (D.C. Cir. 2015)] has vacated the provisions in 40 CFR 63, Subpart ZZZZ that contain the 100-hour exemption for operation of emergency engines for purposes of emergency demand response under 40 CFR 63.6640(f)(2)(ii)-(iii). The D.C. Circuit Court issued the mandate for the vacatur on May 4, 2016.

NON-APPLICABLE REGULATIONS:

401 KAR 60:005, Section 2(2)(dddd), 40 C.F.R. 60.4200 to 60.4219, Tables 1 to 8 (**Subpart IIII**), *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*

1. **Operating Limitations:**

   The permittee shall 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, emergency demand response, 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 engine in not operated 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 shall meet all requirements for non-emergency engines. [40 CFR 63.6640(f)]

   a. There is no time limit on the use of emergency stationary RICE in emergency situations. [40 CFR 63.6640(f)(1)]

   b. The permittee may operate the emergency stationary RICE for any combination of the purposes specified in 40 CFR 63.6640(f)(2)(i) through (iii) 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). 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

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

standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [40 CFR 63.6640(f)(2) and 63.6640(f)(2)(i)]

c. Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hour per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in 40 CFR 63.6640(f)(2). 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 supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 63.6640(f)(3)]

2. Emission Limitations:

a. Except during periods of startup, the permittee shall: [40 CFR 63, Subpart ZZZZ, Table 2c, 1.]

i. Change oil and filter every 500 hours of operation or annually, whichever comes first; [40 CFR 63, Subpart ZZZZ, Table 2c, 1. a.]

ii. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; [40 CFR 63, Subpart ZZZZ, Table 2c, 1. b.]

iii. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [40 CFR 63, Subpart ZZZZ, Table 2c, 1. c.]

b. During periods of startup, the permittee shall minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and sage loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [40 CFR 63, Subpart ZZZZ, Table 2c, 1.]

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the Cabinet in accordance with 401 KAR 50:045, Section 4.

4. Specific Monitoring Requirements:

a. The permittee shall monitor the amount of fuel usage (gallons) on a monthly basis. [401 KAR 52:020, Section 10]

b. The permittee shall monitor the hours of operation on a monthly basis. [401 KAR 52:020, Section 10]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of fuel usage (gallons) on a monthly basis. [401 KAR 52:020, Section 10]

b. The permittee shall maintain records of the hours of operation on a monthly basis. [401 KAR 52:020, Section 10]

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

c. The permittee shall keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the stationary RICE was operated and maintained according to the maintenance plan for the engine. [40 CFR 63.6655(e)]

d. Records shall be in a form suitable and readily available for expeditious review according to 40 CFR 63.10(b)(1). The permittee shall keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report or record. The permittee shall keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record according to 40 CFR 63.10(b)(1). [40 CFR 63.6660]

6. Specific Reporting Requirements:
See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

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

Emissions Unit 09: **Pebble Lime, Fly Ash, and Waste Product Handling System**

Description:

Emission Point	Description	Maximum Continuous Rating (tons/hr)	Control Device	Construction Commenced
09-01	Fly Ash and Waste Product Silo C: 108,000 ft^3 capacity	80	Fabric Filter	2010
09-03	Vacuum Systems #1 & #2	40 (each)	Fabric Filter	2010
09-04	Pebble Lime Silo	19	Fabric Filter	2010
09-05	Pebble Feed Silos A & B	25 (each)	Fabric Filter	2010
09-06	Lime Hydrator A & B	19 (each)	Fabric Filter	2010
09-07	Hydrated Lime Silo	50	Fabric Filter	2010
09-08	Lime Dust Silo	1	Fabric Filter	2010

APPLICABLE REGULATIONS:
40 CFR Part 64, *Compliance Assurance Monitoring* (Applicable to 09-03, 09-04, and 09-07 for PM)
401 KAR 59:010, *New process operations*

1. **Operating Limitations:**
   The permittee shall operate fabric filters with bags having a minimum design specification of 0.005 gr/dscf.

2. **Emission Limitations:**
   a. The permittee shall not emit any continuous emission into the open air from a control device or stack which is equal to or greater than 20 percent opacity. [401 KAR 59:010, Section 3(1)(a)]

      Compliance Demonstration Method:
      Compliance shall be demonstrated according to **4. Specific Monitoring Requirements (a)** and **5. Specific Recordkeeping Requirements (a)**.

   b. Particulate matter emissions from each stack or control device shall not exceed the limit determined according to the following table, where P is the process weight rate in tons/hr and E is the maximum allowable emission rate in lbs/hr.

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

Process Weight Rate (tons/hr)	Emission Limit (lbs/hr)
$P \leq 0.5$	$E = 2.34$
$0.5 < P \leq 30$	$E = 3.59P^{0.62}$
$P > 30$	$E = 17.31P^{0.16}$

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

Compliance Demonstration Method:
Compliance is assumed by satisfying the requirements of **4. Specific Monitoring Requirements (a)** and **(b)** and **5. Specific Recordkeeping Requirements (b)**.

3. Testing Requirements:
Testing shall be conducted at such times as may be required by the Cabinet in accordance with 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 4.

4. Specific Monitoring Requirements:

a. The permittee shall perform a qualitative visual observation of the emissions from each unit on a weekly basis while in operation. If visible emissions are present, then the opacity shall be determined by U.S. EPA Reference Method 9. [401 KAR 52:020, Section 10]

b. Applicable to Emission Point 09-03 (Vacuum System #1 and #2), Emission Point 09-04 (Pebble Lime Silo), and Emission Point 09-07 (Hydrated Lime Silo) only: The permittee shall comply with the requirements specified in Table 4, below, to monitor emissions of particulate matter: [40 CFR Part 64]

TABLE 4 - MONITORING APPROACH

CAM Monitoring Approach		Indicator #1	Indicator #2
I.	**Indicator**	**Pressure Drop**	**Opacity**
A.	Measurement Approach	Differential pressure at the control device shall be monitored	When the emission unit is operating, conduct a weekly QVO or after any pressure drop 15 minute average is outside its range (excluding startup and shutdown periods), conduct a QVO as soon as practical. If visible emissions are observed, conduct an U.S. EPA Reference Method 9 observation of the stack plume.
II.	**Indicator Range**	An excursion is defined as a control device operation parameter 15-minute average outside the indicator range during operation of the dust	An excursion is defined as one 6 minute average opacity reading collected using U.S.

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

		collector (excluding startup and shutdown periods). An excursion triggers an inspection of the control equipment and a QVO as soon as practical. If five percent or greater of the CEM data recorded in a calendar quarter show excursions above the pressure drop indicator level, the permittee triggers the threshold for a QIP.	EPA Reference Method 9 that is above 20% opacity
	Manufacturer's specified ranges		
	09-03 Vacuum System #1: Exhauster A Vent 5 to 7 inches of water		
	09-03 Vacuum System #2: Exhauster B Vent 5 to 7 inches of water		
	09-04 Pebble Lime Silo: Vent 0 to 8 inches of water		
	09-07 Hydrated Lime Silo: Vent 0 to 8 inches of water		
III.	**Performance Criteria**		
A.	Data Representativeness	The one-minute averages recoded by the Data Acquisition Handling System (DAHS) are reduced to 15-minue averages.	U.S. EPA Reference Method 9 observation logs will be maintained and audited to ensure visual emission readings are conducted.
B.	Verification of Operational Status	The system is recalibrated to zero when the dust collection system is shut down for maintenance.	N/A
C.	QA/QC Practices and Criteria	Control device monitored parameters will be maintained and operated consistent with manufacturer recommendations.	U.S. EPA Reference Method 9 readings will be performed by individuals certified in reading Method 9.
D.	Monitoring Frequency	Control device differential pressure shall be monitored continuously.	Qualitative visual observations, if visible emissions present, U.S. EPA Reference Method 9 observation of the stack plume.

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

IV.	**Data Collection Procedures**	Differential pressure readings shall be kept in a form readily available for inspection. Excursions of the operating range will be specifically identified.	Qualitative visual observations, if visible emissions present, conduct an U.S. EPA Reference Method 9 observation of the stack plume.
V.	**Averaging Period**	Control device differential pressure shall be reported as 15-minute averages, excluding startup and shutdown periods.	U.S. EPA Reference Method 9 readings shall be reported as 6-minute averages.
VI.	**Recordkeeping**	Control device operating parameters shall be maintained for a period of 5 years	U.S. EPA Reference Method 9 readings shall be maintained for a period of 5 years.
VII.	**Reporting**	Any excursions of the control device differential pressure readings will be included in the semiannual report. The number, the duration, the cause of, and corrective action taken as a result of any excursion.	The number, the duration, the cause of, and corrective action taken as a result of excursion.

c. The permittee shall monitor the amount (tons) of material processed and waste product produced on a monthly basis. [401 KAR 52:020, Section 10]

d. The permittee shall monitor the hours of operation for each unit on a monthly basis. [401 KAR 52:020, Section 10]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of qualitative visual observations and any U.S. EPA Reference Method 9 readings performed. [401 KAR 52:020, Section 10]

b. The permittee shall record each excursion, excursion follow-up, and any QA/QC procedures as described in Table 4, including dates and any corrective actions taken, in a logbook (in written or electronic format). The permittee shall keep the logbook onsite and make hard or electronic copies (whichever is requested) of the logbook available to the Division upon request. [40 CFR Part 64 and 401 KAR 52:020, Section 10]

c. The permittee shall maintain records specified in Table 4. [40 CFR Part 64 and 401 KAR 52:020, Section 10]

d. The permittee shall maintain records of the amount (tons) of material processed and waste product produced on a monthly basis. [401 KAR 52:020, Section 10]

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

e. The permittee shall maintain records of the hours of operation for each unit on a monthly basis. [401 KAR 52:020, Section 10]

6. Specific Reporting Requirements:
See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

7. Specific Control Equipment Operating Conditions:

a. The permittee shall maintain records regarding the maintenance of the control devices. [401 KAR 52:020, Section 10]

b. See **Section E – Source Control Equipment Requirements**.

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

Emissions Unit 10: **Paved Roadways**

Description:	Plant Paved Roadways used as Haul Roads
Control Device:	Wet suppression as needed
Construction Commenced:	Prior to 1970, additional road and traffic added estimated 2010

APPLICABLE REGULATIONS:
401 KAR 63:010, *Fugitive emissions*

1. **Operating Limitations:**
   The permittee shall not cause, suffer, or allow any material to be handled, processed, transported, or stored; a building or its appurtenances to be constructed, altered, repaired, or demolished, or a road to be used without taking reasonable precaution to prevent particulate matter from becoming airborne. Such reasonable precautions shall include, when applicable, but not be limited to the following: [401 KAR 63:010, Section 3(1)]
   a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land; [401 KAR 63:010, Section 3(1)(a)]

   b. Application and maintenance of asphalt, oil, water, or suitable chemicals on roads, materials stockpiles, and other surfaces which can create airborne dusts; [401 KAR 63:010, Section 3(1)(b)]

   c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials, or the use of water sprays or other measures to suppress the dust emissions during handling. Adequate containment methods shall be employed during sandblasting or similar operations. [401 KAR 63:010, Section 3(1)(c)]

   d. Covering, at all times when in motion, open bodied trucks transporting materials likely to become airborne; [401 KAR 63:010, Section 3(1)(d)]

   e. The maintenance of paved roadways in a clean condition; [401 KAR 63:010, Section 3(1)(e)]

   f. The prompt removal of earth or other material from a paved street which earth or other material has been transported thereto by trucking or earth moving equipment or erosion by water. [401 KAR 63:010, Section 3(1)(f)]

   Compliance Demonstration Method:
   Compliance shall be demonstrated according to **4. Specific Monitoring Requirements** and **5. Specific Recordkeeping Requirements**.

2. **Emission Limitations:**
   The permittee shall not cause or permit the discharge of visible fugitive dust emissions beyond the lot line of the property on which the emissions originate. [401 KAR 63:010, Section 3(2)]

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

Compliance Demonstration Method:
Compliance shall be demonstrated according to **1. Operating Limitations**

3. Testing Requirements:
N/A

4. Specific Monitoring Requirements:
The permittee shall monitor actions taken to prevent the discharge of visible fugitive emissions beyond the property line, including the application of wet suppression. [401 KAR 52:020, Section 10]

5. Specific Recordkeeping Requirements:
The permittee shall maintain records of the actions taken to prevent the discharge of visible fugitive emissions beyond the property line on a monthly basis. [401 KAR 52:020, Section 10]

6. Specific Reporting Requirements:
See **Section F – Monitoring, Recordkeeping, and Reporting Requirements**.

7. Specific Control Equipment Operating Conditions:

a. Wet suppression shall be used to ensure haul roads are in compliance with the applicable requirements of 401 KAR 63:010. [401 KAR 50:055]

b. Records regarding the maintenance of the control equipment shall be maintained. [401 KAR 52:020, Section 10]

c. See **Section E – Source Control Equipment Requirements**.

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

Emissions Unit 12: **Communication Tower Emergency Generator**

Description:	Olympian G35LG
Fuel:	Propane
Maximum Continuous Rating:	0.52 MMBtu/hr (71 hp)
Manufacture Date:	2010
Construction Commenced:	2011

APPLICABLE REGULATIONS:

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

Note: D.C. Circuit Court [*Delaware v. EPA*, 785 F. 3d 1 (D.C. Cir. 2015)] has vacated the provisions in 40 CFR 60, Subpart JJJJ that contain the 100-hour exemption for operation of emergency engines for purposes of emergency demand response under 40 CFR 60.4243(d)(2)(ii)-(iii). The D.C. Circuit Court issued the mandate for the vacatur on May 4, 2016.

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

1. **Operating Limitations:**
   a. The permittee shall meet the requirements of 40 CFR Part 63 by meeting the requirements of 40 CFR 60, Subpart JJJJ. No further requirements apply for the engine under 40 CFR Part 63. [40 CFR 63.6590(c)]

   b. The permittee shall operate and maintain stationary SI ICE that achieves the emission standards as required in 40 CFR 60.4233 over the entire life of the engine [40 CFR 60.4234]

   c. The permittee shall not install engines that do not meet the applicable requirements in 40 CFR 60.4233 after January 1, 2011 [40 CFR 60.4236(c)]

   d. The permittee shall operate the emergency stationary ICE according to the requirements in 40 CFR 60.4243(d)(1) through (3). In order for the engine to be considered an emergency stationary ICE under 40 CFR 60, Subpart JJJJ, any operation other than emergency operation, maintenance and testing, emergency demand response, 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 requirement in 40 CFR 60.4243(d)(1) through (3), the engine will not be considered an emergency engine under 40 CFR 60, Subpart JJJJ and shall 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 any combination of the purposes specified in 40 CFR 60.4243(d)(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40

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

CFR 60.4243(d)(3) counts as part of the 100 hours per calendar year allowed by 40 CFR 60.4243(d)(2). 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 houts to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indication that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year. [40 CFR 60.4243(d)(2) and 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 and emergency demand response 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. 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 CF 60.4243(d)(3) and 40 CFR 60.4243(d)(3)(i)]

1. The engine is dispatched by the local authority or local transmission and distribution system operator; [40 CF 60.4243(d)(3)(i)(A)]

2. The dispatch is intended to mitigate local transmission and/or distribution limitations 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 CF 60.4243(d)(3)(i)(B)]

3. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission, or local standards or guidelines. [40 CF 60.4243(d)(3)(i)(C)]

4. The power is provided only to the facility itself or to support the local transmission and distribution system. [40 CF 60.4243(d)(3)(i)(D)]

5. The permittee identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission, or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the permittee. [40 CF 60.4243(d)(3)(i)(E)]

e. The permittee shall comply with the General Provisions in 40 CFR 60.1-60.12, 60.14-60.17 and 60.19. [40 CFR 60.4246 and 40 CFR 60, Subpart JJJJ Table 3]

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

2. Emission Limitations:

The permittee shall comply with the emission standards in 40 CFR 60.4231(c). [40 CFR 60.4233 (c)]

Compliance Demonstration Method:

1) If the engine is operated according to the manufacturer's emission-related written instructions, the permittee shall keep records of conducted maintenance to demonstrate compliance, and no performance testing is required. The permittee shall also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply. If the engine settings are adjusted 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)]

2) If the certified stationary SI internal combustion engine is not operated and maintained according to the manufacturer's emission-related written instructions, the engine will be considered a non-certified engine, compliance shall be demonstrated by keeping a maintenance plan and records of conducted maintenance and to the extent practicable, the engine shall be maintained and operated in a manner consistent with good air pollution control practice for minimizing emissions, and no performance testing will be required. [40 CFR 60.4243(a)(2)]

3. Testing Requirements:

If the stationary SI internal combustion engine purchased is a noncertified engine or is not operated and maintained according to the manufacturer's written emission-related instructions, initial performance testing is required as indicated in this section, but no subsequent performance testing is required unless the stationary engine is rebuilt or undergoes major repair or maintenance. A rebuilt stationary SI ICE means an engine that has been rebuilt as that term is defined in 40 CFR 94.11(a). [40 CFR 60.4243(f)]

4. Specific Monitoring Requirements:

a. The permittee shall monitor the amount of fuel (Mgal) used on a monthly basis [401 KAR 52:020, Section 10]

b. The permittee shall install a non-resettable hour meter upon startup of the emergency engine [40 CFR 60.4237(c)]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of the amount of fuel (Mgal) used on a monthly basis [401 KAR 52:020, Section 10]

b. The permittee shall maintain records of the hours of operation on a monthly basis [401 KAR 52:020, Section 10]

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

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

d. The permittee shall keep records of the information in 40 CFR 60.4245(a)(1) through (4) [40 CFR 60.4245(a)]

i. All notifications submitted to comply with 40 CFR 60, Subpart JJJJ and all documentation supporting any notification [40 CFR 60.4245(a)(1)]

ii. Maintenance conducted on the engine [40 CFR 60.4245(a)(2)]

iii. If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable. [40 CFR 60.4245(a)(3)]

iv. If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to 40 CFR 60.4243(a)(2), documentation that the engine meets the emission standards [40 CFR 60.4245(a)(4)]

6. Specific Reporting Requirements:
See **Section F - Monitoring, Recordkeeping, and Reporting Requirements**

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

Emissions Unit 13: **Fire Pump Engine**

Description:	Scania F674DSJF
Primary Fuel:	No. 2 Diesel Fuel Oil
Maximum Continuous Rating:	2.02 MMBtu/hr
Construction Commenced:	1978

APPLICABLE REGULATIONS:

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

Note: D.C. Circuit Court [*Delaware v. EPA*, 785 F. 3d 1 (D.C. Cir. 2015)] has vacated the provisions in 40 CFR 63, Subpart ZZZZ that contain the 100-hour exemption for operation of emergency engines for purposes of emergency demand response under 40 CFR 63.6640(f)(2)(ii)-(iii). The D.C. Circuit Court issued the mandate for the vacatur on May 4, 2016.

NON-APPLICABLE REGULATIONS:

401 KAR 60:005, Section 2(2)(dddd) 40 C.F.R. 60.4200 to 60.4219, Tables 1 to 8 (**Subpart IIII**), *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*

1. **Operating Limitations:**
   a. The permittee shall change oil and filter every 500 hours of operation or annually, whichever comes first; inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. During periods of startup the permittee shall minimize the engine's time spent at idle and 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 non-startup emission limitations apply. [40 CFR 63.6602 and 40 CFR 63.6625(h)]

   b. The permittee shall install a non-resettable hour meter if one is not already installed. [40 CFR 63.6625(f)]

   c. The unit shall be operated and maintained according to the manufacturer's emission-related written instructions or the facility's developed maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR 63.6625(e)(2) and 63.6640(a)]

   d. The permittee shall be in compliance with the operating limitations at all times. At all times, these units, including associated air pollution control equipment and monitoring equipment, shall be operated and maintained in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require 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

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

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(a) and (b)]

e. The permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in 40 CFR 63.6602. The oil analysis shall be performed at the same frequency specified for changing the oil in 40 CFR 63.6602. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the permittee is not required to change the oil. If any of the limits are exceeded, the permittee shall change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the permittee shall change the oil within 2 business days or before commencing operation, whichever is later. The permittee shall keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. [40 CFR 63.6625(i)]

f. The permittee shall operate the emergency stationary RICE according to the requirements in paragraphs 40 CFR 63.6640(f)(1) through (3). 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, emergency demand response, and operation in nonemergency situations for 50 hours per year, as described in 40 CFR 63.6640(f)(1) through (4), is prohibited. If the engine is not operated 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 shall 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 any combination of the purposes specified in paragraphs 40 CFR 63.6640(f)(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph 40 CFR 63.6640(f)(3) of this section counts as part of the 100 hours per calendar year allowed by paragraph 40 CFR 63.6640(f)(2). 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

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

maintenance and testing of emergency RICE beyond 100 hours per calendar year. [40 CFR 63.6640(f)(2) and 40 CFR 63.6640(f)(2)(i)]

iii. Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in 40 CFR 63.6640(f)(2). 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 supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 63.6640(f)(3)]

g. The permittee shall use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted. [40 CFR 63.6604(b)]

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 4].

4. Specific Monitoring Requirements:

a. The permittee shall monitor the amount of fuel (Mgal) used on a monthly basis. [401 KAR 52:020, Section 10]

b. The permittee shall monitor the hours of operation on a monthly basis. [401 KAR 52:020, Section 10]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of the amount of fuel (Mgal) used on a monthly basis. [401 KAR 52:020, Section 10]

b. The permittee shall maintain records of the hours of operation on a monthly basis. [401 KAR 52:020, Section 10]

c. The following records shall be maintained in a form suitable and readily available for expeditious review in hard copy or electronic form for 5 years following the date of each occurrence. [40 CFR 63.6660]

i. 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 the permittee submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv). [40 CFR 63.6655(a)(1)]

ii. The occurrence and duration of each malfunction of operation. [40 CFR 63.6655(a)(2)]

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

iii. 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)]

iv. Maintenance conducted on the stationary RICE in order to demonstrate that the permittee operated and maintained the stationary RICE according to the permittee's own maintenance plan. [40 CFR 63.6655(e)]

v. The permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter and 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. If the engines are used for demand response operation, the permittee shall keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response. [40 CFR 63.6655(f)]

6. Specific Reporting Requirements:

a. The permittee shall report each instance in which an emission limitation or operating limitation was not met, as they apply. These instances are deviations from the emission and operating limitations in this subpart. These deviations must be reported according to the requirements in 40 CFR 63.6650. If the catalyst is changed, the permittee must reestablish the values of the operating parameters measured during the initial performance test. When the values of the operating parameters are reestablish, a performance test must also be conducted to demonstrate that the required emission limitation applicable to the stationary RICE are being met. [40 CFR 63.6640(b)]

b. The permittee shall report each instance in which the requirements, as they apply, in Table 8 to Subpart ZZZZ of Part 63-Applicability of General Provisions to Subpart ZZZZ were not met. [40 CFR 63.6640(e)]

c. See **Section F - Monitoring, Recordkeeping, and Reporting Requirements**

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

Emission Unit 16: **Leachate Transfer Pump Engine**

Description:	Powermate Model 6958
Primary Fuel:	Propane
Maximum Continuous Rating:	11.6 hp
Manufacture Date:	2019
Construction Commenced:	2019

APPLICABLE REGULATIONS:

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

Note: D.C. Circuit Court [*Delaware v. EPA*, 785 F. 3d 1 (D.C. Cir. 2015)] has vacated the provisions in 40 CFR 60, Subpart JJJJ that contain the 100-hour exemption for operation of emergency engines for purposes of emergency demand response under 40 CFR 60.4243(d)(2)(ii)-(iii). The D.C. Circuit Court issued the mandate for the vacatur on May 4, 2016.

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

1. **Operating Limitations:**
   a. By meeting the requirements of 40 CFR 60, Subpart JJJJ, for spark ignition engines, no further requirements apply for such engines under 40 CFR 63, Subpart ZZZZ. [40 CFR 63.6590(c)]

   b. The permittee shall operate and maintain stationary SI ICE that achieve the emission standards as required in 40 CFR 60.4233 over the entire life of the engine. [40 CFR 60.4234]

   c. The permittee shall purchase an engine certified to the emission standards in 40 CFR 60.4231(a), as applicable, for the same engine class and maximum engine power. In addition, the permittee shall meet one of the requirements specified in 40 CFR 60.4243(a)(1) and (2). [40 CFR 60.4243(a)]

   d. The permittee shall comply to the General Provisions in 40 CFR 60.1-60.12, 60.14-60.17 and 60.19. [40 CFR 60.4246]

2. **Emission Limitations:**
   The permittee shall certify their stationary SI ICE to the certification emission standards in 40 CFR 1054.105, applicable to class II engines, and other requirements for new nonroad SI engines in 40 CFR part 1054. [40 CFR 60.4233(a) and 60.4231(a)]

   Compliance Demonstration Method:
   The permittee shall comply with the emission standards specified in 40 CFR 60.4233 (a) through (c) by purchasing an engine certified to the emission standards in 40 CFR 63.4231(a) through (c), as applicable, for the same engine class and maximum engine power. In addition, the permittee shall meet on of the requirements specified in 40 CFR 60.4243(a)(1) and (2).

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

1) If the engine is operated according to the manufacturer's emission-related written instructions, the permittee shall keep records of conducted maintenance to demonstrate compliance, but no performance testing is required. The permittee shall also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply. If the engine settings are adjusted 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)]

2) If the certified stationary SI internal combustion engine is not operated and maintained according to the manufacturer's emission-related written instructions, the engine will be considered a non-certified engine, compliance shall be demonstrated by keeping a maintenance plan and records of conducted maintenance and, to the extent practicable, the engine shall be maintained and operated in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing will be required. [40 CFR 60.4243(a)(2) and 40 CFR 60.4243(a)(2)(i)]

3. Testing Requirements:
Testing shall be conducted at such times as may be requested by the Cabinet [401 KAR 50:045, Section 4].

4. Specific Monitoring Requirements:

a. The permittee shall monitor the amount of fuel (Mgal) used on a monthly basis. [401 KAR 52:020, Section 10]

b. The permittee shall monitor the hours of operation on a monthly basis. [401 KAR 52:020, Section 10]

5. Specific Recordkeeping Requirements:

a. The permittee shall maintain records of the amount of fuel (Mgal) used on a monthly basis. [401 KAR 52:020, Section 10]

b. The permittee shall maintain records of the hours of operation on a monthly basis. [401 KAR 52:020, Section 10]

c. The permittee shall meet the following notification, reporting and recordkeeping requirements. [40 CFR 60.4245(a)]

i. All notifications submitted to comply with 40 CFR 63, Subpart JJJJ and all documentation supporting any notification. [40 CFR 60.4245(a)(1)]

ii. Maintenance conducted on the engine. [40 CFR 60.4245(a)(2)]

iii. If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable. [40 CFR 60.4245(a)(3)]

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

iv. If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to 40 CFR 60.4243(a)(2), documentation that the engine meets the emission standards. [40 CFR 60.4245(a)(4)]

6. Specific Reporting Requirements:
See **Section F - Monitoring, Recordkeeping, and Reporting Requirements**

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. Although these activities are designated as insignificant the permittee must comply with the applicable regulation. Process and emission control equipment at each insignificant activity subject to an opacity standard shall be inspected monthly and a qualitative visible emissions evaluation made. Results of the inspection, evaluation, and any corrective action shall be recorded in a log.

Description Generally Applicable Regulation

	Description:	**Generally Applicable Regulation:**
1.	Storage vessels containing petroleum or organic liquids with a capacity of less than 10,567 gallons, providing (a) the vapor pressure of the stored liquid is less than 1.5 psia at storage temperature, or (b) vessels greater than 580 gallons with stored liquids having greater than 1.5 psia vapor pressure are equipped with a permanent submerged fill pipe.	N/A
2.	Storage vessels containing inorganic aqueous liquids, except inorganic acids with boiling points below the maximum storage temperature at atmospheric pressure.	N/A
3.	#2 oil-fired space heaters or ovens rated at less than two million BTU per hour actual heat input, provided the maximum sulfur content is less than 0.5% by weight.	N/A
4.	Machining of metals, providing total solvent usage at the source for this activity does not exceed 60 gallons per month.	N/A
5.	Volatile organic compound and hazardous air pollutant storage containers, as follows: (a) Tanks, less than 1,000 gallons, and throughput less than 12,000 gallons per year; (b) Lubricating oils, hydraulic oils, machining oils, and machining fluids.	N/A
6.	Machining where an aqueous cutting coolant continuously floods machining interface.	N/A
7.	Degreasing operations, using less than 145 gallons per year.	N/A
8.	Maintenance equipment, not emitting HAPs: brazing, cutting torches, soldering, welding.	NA
9.	Underground conveyors.	401 KAR 63:010
10.	Coal bunker and coal scale exhausts.	401 KAR 63:010
11.	Blowdown (sight glass, boiler, compressor, pump, cooling tower).	N/A
12.	On-site fire and emergency response training.	

SECTION C - INSIGNIFICANT ACTIVITIES (CONTINUED)

13.	Grinding and machining operations vented through fabric filters, scrubbers, mist eliminators, or electrostatic precipitators (e.g., deburring, buffing, polishing, abrasive blasting, pneumatic conveying, woodworking).	401 KAR 63:010
14.	Vents from ash transport systems not operated at positive pressure.	N/A
15.	Wastewater treatment (for stream less than 1% oil and grease).	
16.	Sanitary sewage treatment.	N/A
17.	Heat exchanger cleaning and repair.	N/A
18.	Equipment used exclusively for forging, pressing, drawing, stamping, spinning, or extruding metals. This does not include emissions due to quenching activities.	N/A
19.	Repair and maintenance of ESP, fabric filters, etc.	N/A
20.	Ash handling, ash pond and ash pond maintenance	401 KAR 63:010
21.	Laboratory fume hoods and vents used exclusively for chemical or physical analysis, or for "bench scale production" R&D facilities	N/A
22.	Covered conveyors for coal or coke that convey less than 401 KAR 63:010 200 tons per day	401 KAR 63:010
23.	EU 05 & 09 - Fly ash loadout systems (Silos A, B & C) configured for either railcar or truck	401 KAR 63:010
24.	Wood Unloading Area	401 KAR 63:010
25.	Portable Backup Conveyer	401 KAR 63:010
26.	DusTreat CF9156 in 850 gallon tank	401 KAR 63:010
27.	DusTreat DC6109 in 300 gallon tote	401 KAR 63:010
28.	Powdered Activated Carbon (PAC) System (500 lb/hr max)	401 KAR 59:010

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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, nitrogen oxides, sulfur dioxide, and visible (opacity) emissions, measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter I, or by a test method specified in the state implementation plan shall not exceed the respective limitations specified herein.

3. The following units comprise the "EKPC System" and are subject to System-Wide emission limits:

   a. Unit 1 (124 MW)("Cooper 1") and Unit 2 (240 MW)("Cooper 2") located at the John Sherman Cooper Power Station near Somerset, Kentucky.

   b. Unit 3 (80 MW)("Dale 3") and Unit 4 (80 MW)("Dale 4") (and shall exclude Units 1 and 2) located at the William C. Dale Power Station near Winchester, Kentucky.

   c. Unit 1 (344 MW)("Spurlock 1") and Unit 2 (555 MW)("Spurlock 2") located at the Spurlock Power Station near Maysville, Kentucky [Consent Decree entered September 24, 2007, Section III].

4. Pursuant to the Consent Decree entered September 24, 2007, the permittee shall comply with the following System-Wide 12-Month Rolling Tonnage limitations for NO_X, which apply to all EKPC System units collectively:

For the 12-Month Period Commencing on the Date Specified Below, and Each 12-Month Period Thereafter:	System-wide 12-Month Rolling Tonnage Limitation for NOx
January 1, 2013	8,500 tons
January 1, 2015	8,000 tons

   The System-Wide annual emissions limits for NO_X shall apply prospectively from the specified date on which a 12-month period commences, that is compliance with the cap shall first be determined 12 months following the commencement date specified above, and shall end on the date that the subsequent System-Wide limit, if any, takes effect. The permittee may not use NO_X Allowances to comply with these System-Wide limitations [Consent Decree entered September 24, 2007, Section V].

5. Pursuant to the Consent Decree entered September 24, 2007, the permittee shall comply with the following System-Wide 12-Month Rolling Tonnage limitations for SO_2, which apply to all EKPC System units collectively:

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

For the 12-Month Period Commencing on the Date Specified Below, and Each 12-Month Period Thereafter:	System-Wide12-Month Rolling Tonnage Limitation for SO_2
July 1, 2011	40,000 tons
January 1, 2013	28,000 tons

Each of the System-Wide annual emission limits for SO_2 shall apply prospectively from the specified date on which a 12-month period commences, that is compliance with the cap shall first be determined 12 months following the commencement date specified above, and shall end on the date that the subsequent System-Wide limit, if any, takes effect, the permittee shall not use SO_2 allowances or credits to comply with these System-Wide limitations [Consent Decree entered September 24, 2007, Section VI].

6. "System-Wide 12-Month Rolling Tonnage" means the sum of the tons of the pollutant in question emitted from the EKPC System units in the most recent complete month and the previous 11 months. A new System-Wide 12-Month Rolling Tonnage shall be calculated for each new complete month. The calculation of each System-Wide 12-Month Rolling Tonnage shall include the pollutants emitted during periods of startup, shutdown, and Malfunction within each calendar month, except as otherwise provided by the Force Majeure provisions of the Consent Decree entered September 24, 2007.

7. The permittee shall provide to the Division and US EPA sufficient data to demonstrate compliance with Sections D.4 and D.5 as part of its annual compliance certification specified in Section F.9.

8. Malfunction Events. If the permittee intends to exclude a period of Malfunction, as defined in paragraph 22 of the Consent Decree, from the calculation of any 30-Day Rolling Average Emission Rate, Combined 30-Day Rolling Average Emission Rate, or 30-Day Rolling Average SO_2 Removal Efficiency, the permittee shall notify the US EPA in writing as soon as practicable, but in no event later than 21 days following the date the Malfunction occurs.

   a. In this notice, the permittee shall describe the anticipated length of time that the Malfunction may persist, the cause or causes of the Malfunction, all measures taken or to be taken by the permittee to minimize the duration of the Malfunction, and the schedule by which the permittee proposes to implement those measures. The permittee shall adopt all reasonable measures to minimize the duration of such Malfunctions, and to prevent the recurrence of such Malfunctions in the future.

   b. A Malfunction, as defined in paragraph 22 of the Consent Decree, does not constitute a Force Majeure Event unless the Malfunction also meets the definition of a Force Majeure Event, as provided in the Consent Decree. Conversely, a period of Malfunction may be excluded by the permittee from the calculations of emission rates and removal efficiencies, as allowed under this paragraph, regardless of whether the Malfunction constitutes a Force Majeure Event [Consent Decree entered September 24, 2007, paragraph 152].

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

9. Performance standards, emissions limits, and other quantitative standards set by or under the Consent Decree must be met to the number of significant digits in which the standard or limit is expressed. For example, an Emission Rate of 0.100 is not met if the actual Emission Rate is 0.101. The permittee shall round the fourth significant digit to the nearest third significant digit, or the third significant digit to the nearest second significant digit, depending upon whether the limit is expressed to three or two significant digits. For example, if an actual Emission Rate is 0.1004, that shall be reported as 0.100, and shall be in compliance with an Emission Rate of 0.100, and if an actual Emission Rate is 0.1005, that shall be reported as 0.101, and shall not be in compliance with an Emission Rate of 0.100. The permittee shall report data to the number of significant digits in which the standard or limit is expressed [Consent Decree entered September 24, 2007, paragraph 192].

10. A "30-Day Rolling Average Emission Rate" for a Unit or "Combined 30-Day Rolling Average Emission Rate" for the Spurlock Plant shall be expressed as lb/mmBTU and calculated in accordance with the following procedure: first, sum the total pounds of the pollutant in question emitted from the Unit (in the case of a 30-Day Rolling Average Emission Rate) or the Spurlock Plant (in the case of a Combined 30-Day Rolling Average Emission Rate) during an Operating Day and the previous twenty-nine (29) Operating Days; second, sum the total heat input to the Unit (in the case of a 30-Day Rolling Average Emission Rate) or the Spurlock Plant (in the case of a Combined 30-Day Rolling Average Emission Rate) in mmBTU during the Operating Day and the previous twenty-nine (29) Operating Days; and third, divide the total number of pounds of the pollutant emitted during the thirty (30) Operating Days by the total heat input during the thirty (30) Operating Days. A new 30-Day Rolling Average Emission Rate shall be calculated for each new Operating Day. A new Combined 30-Day Rolling Average Emission Rate shall be calculated for each new Operating Day during which both Spurlock 1 and Spurlock 2 fire Fossil Fuel. Each 30-Day Rolling Average Emission Rate and Combined 30-Day Rolling Average Emission Rate shall include all emissions that occur during all periods of start-up, shutdown and Malfunction within an Operating Day, except as follows:

    a. For emissions of NO_x from Spurlock 1 only, EKPC shall include all emissions commencing from the time Spurlock 1 is synchronized with a utility electric distribution system through the time that Spurlock 1 ceases to combust fossil fuel and the fire is out in the boiler;

    b. Emissions of NO_x that occur during the fifth and subsequent Cold Start Up Period(s) that occur in any 30-day period shall be excluded from the calculation of the 30-Day Rolling Average Emission Rate and Combined 30-Day Rolling Average Emission Rate if inclusion of such emissions would result in a violation of any applicable 30-Day Rolling Average Emission Rate or Combined 30-Day Rolling Average Emission Rate, and if EKPC has installed, operated and maintained the SCR in question in accordance with manufacturers' specifications and good engineering practices. A "Cold Start Up Period" occurs whenever there has been no fire in the boiler of a Unit (no combustion of any fossil fuel) for a period of six hours or more. The emissions to be excluded during the fifth and subsequent Cold Start Up Period(s) shall be the less of (1) those NO_x emissions emitted during the eight hour period commencing when the Unit is synchronized with a utility electric distribution system and concluding eight hours later or (2) those emitted prior to the time that the flue gas has achieved the minimum SCR operational temperature as specified by the catalyst manufacturer;

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

c. For Cold Start Up Periods that occur at Spurlock 1 prior to April 1, 2008, emissions of NO_x that occur during the first and second Cold Start Up Period(s) that occur in any 30-day period shall also be excluded from the calculation of the 30-Day Rolling Average Emission Rate and Combined 30-Day Rolling Average Emission Rate under the same terms and conditions as provided in Subparagraph b; and

d. Emissions that occur during a period of Malfunction shall be excluded from the calculation of the 30-Day Rolling Average Emission Rate and Combined 30-Day Rolling Average Emission Rate if EKPC provides notice of the Malfunction to EPA and takes all reasonable measures to minimize the duration of such Malfunction and prevent the recurrence of such Malfunctions in the future, in accordance with Paragraph 152 (Malfunction Events) of this Consent Decree. [Consent Decree entered September 24, 2007, paragraph 5].

11. "30-Day Rolling Average SO_2 Removal Efficiency" means the percent reduction in the mass of SO_2 achieved by a Unit's pollution control device over a 30-Operating Day period. This percent reduction shall be calculated by subtracting the outlet 30-Day Rolling Average Emission Rate from the inlet 30-Day Rolling Average Emission Rate, dividing that difference by the inlet 30-Day Rolling Average Emission Rate, and then multiplying by 100. In the event the 30-Day Rolling Average SO_2 Removal Efficiency does not meet the requirements of this consent decree, a 30-Day Rolling Average SO_2 emission rate of 0.100 lb/mmBTU or less shall satisfy the removal efficiency requirement. A new 30-Day Rolling Average SO_2 Removal Efficiency shall be calculated for each new Operating Day. EKPC may exclude Malfunctions from the calculation of a 30-Day Rolling Average SO_2 Removal Efficiency only to the extent that such Malfunctions have been excluded from the underlying 30-Day Rolling Average Emission Rates. [Consent Decree entered September 24, 2007, paragraph 6].

12. "PM Emission Rate" means the number of pounds of PM emitted per million BTU of heat input (lb/mmBTU), as measured in annual (or biennial) stack tests in accordance with the reference method set forth in 40 C.F.R. Part 60, App. A, Method 5 (filterable portion only). [Consent Decree entered September 24, 2007, paragraph 40].

13. "SO_2 Allowance" means "allowance" as defined at 42 U.S.C. § 7651a(3): "an authorization, allocated to an affected unit by the Administrator [of EPA] under [Subchapter IV of the Act], to emit, during or after a specified calendar year, one ton of sulfur dioxide." [Consent Decree entered September 24, 2007, paragraph 45].

14. FORCE MAJEURE [Consent Decree entered September 24, 2007, paragraphs 143-151]

143. For purposes of this Consent Decree, a "Force Majeure Event" shall mean an event that has been or will be caused by circumstances beyond the control of EKPC, its contractors, or any entity controlled by EKPC that delays compliance with any provision of this Consent Decree or otherwise causes a violation of any provision of this Consent Decree despite EKPC's best efforts to fulfill the obligation. "Best efforts to fulfill the obligation" include using best efforts to anticipate any potential Force Majeure Event and to address the effects of any such event (a) as it is occurring and (b)

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

after it has occurred, such that the delay or violation is minimized to the greatest extent possible.

144. Notice of Force Majeure Events. If any event occurs or has occurred that may delay compliance with or otherwise cause a violation of any obligation under this Consent Decree, as to which EKPC intends to assert a claim of Force Majeure, EKPC shall notify the United States in writing as soon as practicable, but in no event later than twenty-one (21) days following the date that the event occurred. In this notice, EKPC shall reference this Paragraph 144 of this Consent Decree and describe the anticipated length of time that the delay or violation may persist, the cause or causes of the delay or violation, all measures taken or to be taken by EKPC to prevent or minimize the delay or violation, the schedule by which EKPC proposes to implement those measures, and EKPC's rationale for attributing a delay or violation to a Force Majeure Event. EKPC shall adopt all reasonable measures to avoid or minimize such delays or violations. EKPC shall be deemed to know of any circumstance which EKPC, its contractors, or any entity controlled by EKPC knew.

145. Failure to Give Notice. If EKPC fails to comply with the notice requirements of this Section, the Plaintiff may void EKPC's claim for Force Majeure as to the specific event for which EKPC has failed to comply with such notice requirement.

146. Plaintiff's Response. The Plaintiff shall notify EKPC in writing regarding EKPC's claim of Force Majeure within twenty (20) business days of receipt of the notice provided under Paragraph 144. If the Plaintiff agrees that a delay in performance has been or will be caused by a Force Majeure Event, the Parties shall stipulate to an extension of deadline(s) for performance of the affected compliance requirement(s) by a period equal to the delay actually caused by the event. In such circumstances, an appropriate modification shall be made pursuant to Section XXIII (Modification) of this Consent Decree.

147. Disagreement. If the Plaintiff does not accept EKPC's claim of Force Majeure, or if the Parties cannot agree on the length of the delay actually caused by the Force Majeure Event, the matter shall be resolved in accordance with Section XVI (Dispute Resolution) of this Consent Decree.

148. Burden of Proof. In any dispute regarding Force Majeure, EKPC shall bear the burden of proving that any delay in performance or any other violation of any requirement of this Consent Decree was caused by or will be caused by a Force Majeure Event. EKPC shall also bear the burden of proving that EKPC gave the notice required by this Section and the burden of proving the anticipated duration and extent of any delay(s) attributable to a Force Majeure Event. An extension of one compliance date based on a particular event may, but will not necessarily, result in an extension of a subsequent compliance date.

149. Events Excluded. Unanticipated or increased costs or expenses associated with the performance of EKPC's obligations under this Consent Decree shall not constitute a Force Majeure Event.

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

150. Potential Force Majeure Events. The Parties agree that, depending upon the circumstances related to an event and EKPC's response to such circumstances, the kinds of events listed below are among those that could qualify as Force Majeure Events within the meaning of this Section: construction, labor, or equipment delays; Malfunction of a Unit or emission control device; natural gas supply interruption; acts of God; acts of war or terrorism; and orders by a government official, government agency, or other regulatory body acting under and authorized by applicable law that directs EKPC to supply electricity in response to a system-wide (state-wide or regional) emergency. Depending upon the circumstances and EKPC's response to such circumstances, failure of a permitting authority or the Kentucky Public Service Commission to issue a necessary permit or order with sufficient time for EKPC to achieve compliance with the requirements of this Consent Decree may constitute a Force Majeure Event where the failure of the authority to act is beyond the control of EKPC and EKPC has taken all steps available to it to obtain the necessary permit or order, including, but not limited to: submitting a complete application or request; responding to requests for additional information by the authority in a timely fashion; and accepting lawful terms and conditions after expeditiously exhausting any legal rights to appeal terms and conditions imposed by the authority.

151. As part of the resolution of any matter submitted to this Court under Section XVI (Dispute Resolution) of this Consent Decree regarding a claim of Force Majeure, the Parties by agreement, or this Court by order, may in appropriate circumstances extend or modify the schedule for completion of work under this Consent Decree to account for the delay in the work that occurred as a result of any delay agreed to by the United States or approved by the Court. EKPC shall be liable for stipulated penalties for its failure thereafter to complete the work in accordance with the extended or modified schedule.

15. Except with respect to the Consent Decree requirements, which are subject to the certain exceptions as provided by the consent decree, or as otherwise specified, the emission limitations herein apply except during periods of startup, shutdown, and malfunction provided that the shutdown ensuing startup of the malfunction were not the result of failure to properly operate and maintain the equipment or careless operation and all reasonable steps were taken to minimize emissions and the impact on air quality from their occurrence. Shutdowns and ensuing startups shall follow manufacturer's recommendations or the source's approved startup and shutdown plan.

16. Source-wide SO_2 emissions shall not exceed 1,800 tons per year on a twelve (12) month rolling total beginning calendar year 2017 and thereafter [40 CFR 51.1203(b) and (e)(1)].

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

Compliance Demonstration Method:

The permittee shall calculate monthly SO_2 emissions for Emission Units 01, 02, 08, 12, 13, 14, and 16 and maintain a 12-month rolling total of source-wide SO_2 emissions. Monthly SO_2 emissions shall be determined for Emission Units 01 and 02 using SO_2 CEMS. Monthly SO_2 emissions shall be determined for Emission Units 08, 12, 13, 14, and 15 using monthly fuel usage and appropriate emission factors to calculate monthly SO_2 emissions. Appropriate emission factors shall be sourced from either AP-42, manufacturer emissions data, or performance testing.

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 Title V Permits* incorporated by reference in 401 KAR 52:020, 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 [Sections 1b-IV-2 and 1a-8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

3. In accordance with the requirements of 401 KAR 52:020, Section 3(1)h, 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 Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

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 52:020, Section 23. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported

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

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 Title V Permits* incorporated by reference in 401 KAR 52:020, 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 semi-annual report required by F.6.

9. Pursuant to 401 KAR 52:020, Title V permits, 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 and the U.S. EPA in accordance with the following requirements:
   a. Identification of the term or condition;
   b. Compliance status of each term or condition of the permit;
   c. Whether compliance was continuous or intermittent;
   d. The method used for determining the compliance status for the source, currently and over the reporting period.
   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.

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

f. The certification shall be submitted by January 30th of each year. Annual compliance certifications shall be sent to the following addresses:

Division for Air Quality London Regional Office 875 South Main Street London, KY 40741 9008	U.S. EPA Region 4 Air Enforcement Branch Atlanta Federal Center 61 Forsyth St. SW Atlanta, GA 30303-8960

10. In accordance with 401 KAR 52:020, Section 22, 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.

SECTION G - GENERAL PROVISIONS

1. General Compliance Requirements

   a. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020, 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 termination, revocation and reissuance, revision or denial of a permit [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-6 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

   c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. 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 52:020, 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;
      (4) New requirements become applicable to a source subject to the Acid Rain Program.

      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- 7 and 8 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, Section 26].

   e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:020, Section 3(1)(c)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:020, 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-14 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-4 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-15 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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-10 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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 52:020, Section 11(3) 2].

l. This permit does not convey property rights or exclusive privileges [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Title V Permits* incorporated by reference in 401 KAR 52:020, 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 [401 KAR 52:020, Section 11(3) 4.].

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 [401 KAR 52:020, Section 11(3) 1.].

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

incorporates all requirements of those existing permits into one single permit for this source.

q. Pursuant to 401 KAR 52:020, 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 52:020, Section 12].

b. The authority to operate granted 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 52:020, Section 8(2)].

3. Permit Revisions

a. A minor permit revision procedure 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 52:020, Section 14(2).

b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

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

No construction authorized by this permit (V-18-027).

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

SECTION G - GENERAL PROVISIONS (CONTINUED)

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.

b. The permittee shall comply with all applicable requirements and conditions of the Acid Rain Permit and the Phase II permit application (including the Phase II NOx compliance plan and averaging plan, if applicable) incorporated into the Title V permit issued for this source. The source shall also comply with all requirements of any revised or future acid rain permit(s) issued to this source.

7. Emergency Provisions

a. Pursuant to 401 KAR 52:020, Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or 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) Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.1-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an

SECTION G - GENERAL PROVISIONS (CONTINUED)

emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.

(5) This requirement does not relieve the source of other local, state or federal notification requirements.

b. Emergency conditions listed in General Condition G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].

c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

8. Ozone Depleting Substances

a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

(1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.

(2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.

(3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.

(4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166

(5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.

(6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.

9. Risk Management Provisions

a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to U.S. EPA using the RMP* eSubmit software.

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

SECTION H - ALTERNATE OPERATING SCENARIOS

N/A

SECTION I - COMPLIANCE SCHEDULE

N/A

SECTION J - ACID RAIN

1. Statutory and Regulatory Authority:

   In accordance with KRS 224.10-100 and Titles IV and V of the Clean Air Act, the Kentucky Environmental and Public Protection Cabinet, Division for Air Quality issues this permit pursuant to 401 KAR 52:020, Title V Permits, 401 KAR 52:060, Acid Rain Permit, and 40 CFR Part 76 (Emission Units 01 and 02).

2. Permit Requirements:

   This Acid Rain Permit covers Acid Rain Units 01 and 02 at the Cooper Station. Units 01 and 02 are coal-fired electric generating units. The Acid Rain Permit Application and NO_X Compliance Plan previously received are hereby incorporated into and made part of this permit and the permittee must comply with the standard requirements and special provisions set forth in the application [40 CFR 72.9(a)(2)].

3. Acid Rain Program Emission and Operating Limitations:

   The applicable Acid Rain emission limitations for the permittee are set in 40 CFR 73.10, Table 2, and 40 CFR 76 and they are tabulated in the table below:

Plant Name: John S. Cooper Station					
Year for SO_2 Allowances Pursuant to 40 CFR Part 73.10	2019	2020	2021	2022	2023
Emissions Unit 01	3,216*	3,216*	3,216*	3,216*	3,216*
Emissions Unit 02	6,619*	6,619*	6,619*	6,619*	6,619*
NO_x Limits and Requirements					
Pursuant to 40 CFR 76, the Kentucky Division for Air Quality approves a NO_X standard emissions limitation compliance plan for Units 01 and 02. This plan is effective for calendar year 2019 through 2023. Under the NO_X compliance plan, annual average NO_X emission rate for each year, determined in accordance with 40 CFR 76, shall not exceed the applicable emission limitation, under 40 CFR 76.5(a)(2), of 0.50 lb/MMBtu for dry bottom wall-fired boilers. In addition to the described NO_X compliance plan, this unit shall comply with all other applicable requirements of 40 CFR 76, including the duty to reapply for a NO_X compliance plan and requirements covering excess emissions.					

*** The number of allowances allocated to Phase II affected units by the U.S. EPA may change under 40 CFR part 73. In addition, the number of allowances actually held by an affected source in a unit account may differ from the number allocated by U. S. EPA. Neither of the aforementioned conditions necessitates a revision to the unit SO_2 allowance allocations identified in this permit (See 40 CFR 72.84).**

SECTION J - ACID RAIN (CONTINUED)

4. Consent Decree Requirements:

   For each calendar year beginning with calendar year 2008; the permittee shall surrender to US EPA, or transfer to a nonprofit third party selected by permittee for surrender, SO_2 Allowances allocated to EKPC System Units that are surplus to its Clean Air Act SO_2 Allowance-holding requirements for the EKPC System Units and New Units, collectively, for that year. The permittee shall make such surrender annually, within 45 days of permittee's receipt of US EPA of the Annual Deduction Reports for SO_2. Any surrender need not include the specific SO_2 Allowances that were allocated to EKPC System units, so long as permittee surrenders SO_2 Allowances that are from the same year or an earlier year and that are equal to the number required to be surrendered under paragraph 72 of the September 24, 2007 Consent Decree.

   The requirements and procedures for surrender of SO_2 allowances are set forth in the September 24, 2007 Consent Decree as permanent injunction provisions. Therefore, paragraphs 71, 72, 73, 74 and 76 and associated definitions of the September 24, 2007 Consent Decree are incorporated into this permit as if fully set forth herein.

5. Comments, Notes, and Justifications:

   Affected units are two dry bottom wall-fired boilers.

6. Permit Application:

   The Acid Rain Permit Application is a part of this permit and the source must comply with the standard requirements and special provisions set forth in the applications.

SECTION K – CLEAN AIR INTERSTATE RULE (CAIR)

1. Statement of Basis

Statutory and Regulatory Authorities: In accordance with KRS 224.10-100, the Kentucky Energy and Environment Cabinet issues this permit pursuant to 401 KAR 52:020, Title V permits, 401 KAR 51:210, CAIR NO_X Annual Trading Program, 401 KAR 51:220, CAIR NO_X Ozone season trading program, and 401 KAR 51:230, CAIR SO_2 Trading Program.

2. CAIR Application

The CAIR application for two electrical generating units was received on February 26, 2010. Requirements contained in that application are hereby incorporated into and made part of this CAIR Permit. Pursuant to 401 KAR 52:020, Section 3, the source shall operate in compliance with those requirements.

3. Comments, notes, justifications regarding permit decisions and changes made to the permit application forms during the review process, and any additional requirements or conditions.

Affected units are one (1) pulverized coal-fired, dry-bottom, wall-fired boiler (Unit 1), with a maximum continuous rating of 1,080 MMBtu/hr; and one (1) pulverized coal-fired, dry-bottom, wall-fired boiler (Unit 2), with a maximum continuous rating of 2,089 MMBtu/hr. Each unit has a capacity to generate 25 megawatts or more of electricity, which is offered for sale. The units use coal as a fuel source, and are authorized as base load electric generating units.

4. Summary of Actions

The CAIR Permit is being issued as part of the revised Title V permit for this source. Public, affected state, and US EPA review shall follow procedures specified in 401 KAR 52:100.

A December 2008 court decision kept the requirements of CAIR in place temporarily but directed EPA to issue a new rule to implement Clean Air Act requirements concerning the transport of air pollution across state boundaries. On July 6, 2011, the U.S. EPA finalized the Cross-State Air Pollution Rule (CSAPR). On December 30, 2011, CSAPR was stayed prior to implementation. On April 29, 2014, the U.S. Supreme Court issued an opinion reversing an August 21, 2012 D.C. Circuit decision that had vacated CSAPR. Following the remand of the case to the D.C. Circuit, EPA requested that the court lift the CSAPR stay and toll the CSAPR compliance deadlines by three years. On October 23, 2014, the D.C. Circuit granted EPA's request. CSAPR Phase I implementation is now in place and replaces requirements under EPA’s 2005 Clean Air Interstate Rule.

SECTION L – CROSS-STATE AIR POLLUTION RULE (CSAPR)

Description of CSAPR Monitoring Provisions

The CSAPR subject units, and the unit-specific monitoring provisions at this source, are identified in the following tables. These units are subject to the requirements for the CSAPR NO_x Annual Trading Program, CSAPR NO_x Ozone Season Group 2 Trading Program, and CSAPR SO_2 Group 1 Trading Program

Unit ID: EU 01, coal-fired EGU					
Parameter	Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO_2 monitoring) and 40 CFR part 75, subpart H (for NO_X monitoring)	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D	Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E	Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19	EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E
SO_2	X				
NO_X	X				
Heat input	X				

Unit ID: EU 02, coal-fired EGU					
Parameter	Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO_2 monitoring) and 40 CFR part 75, subpart H	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D	Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E	Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19	EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E

SECTION L – CROSS-STATE AIR POLLUTION RULE (CSAPR) (CONTINUED)

	(for NO_X monitoring)				
SO_2	X		----------		
NO_X	X	----------			
Heat input	X		----------		

1. The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 401 KAR 51:240, Section 3(25) through 401 KAR 51:240, Section 3(30) (CSAPR NOx Annual Trading Program), 401 KAR 51:250 Section 3(25) through 401 KAR 51:250, Section 3(30) (CSAPR NOx Ozone Season Group 2 Trading Program), and 401 KAR 51:260 Section 3(25) through 401 KAR 51:260, Section 3(30) (CSAPR SO2 Group 1 Trading Program). The monitoring, recordkeeping, and reporting requirements applicable to each unit are included below in the standard conditions for the applicable CSAPR trading programs.

2. Owners and operators must submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA's website: http://www.epa.gov/airmarkets/emissions/monitoringplans.html.

3. Owners and operators that want to use an alternative monitoring system must submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR 75, Subpart E and 40 CFR 75.66 and 401 KAR 51:240, Section 3(30) (CSAPR NO_x Annual Trading Program), 401 KAR 51:250, Section 3(30) (CSAPR NO_x Ozone Season Group 2 Trading Program), and/or 401 KAR 51:260, Section 3(30) (CSAPR SO_2 Group 1 Trading Program). The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at:

   http://www.epa.gov/airmarkets/emisisons/petitions.html.

4. Owners and operators that want to use an alternative to any monitoring, recordkeeping, or reporting requirements under 401 KAR 51:240, Section 3(25) through 401 KAR 51:240, Section 3(29) (CSAPR NO_x Annual Trading Program), 401 KAR 51:250, Section 3(25) through 401 KAR 51:250, Section 3(29) (CSAPR NO_x Ozone Season Group 2 Trading Program), and/or 401 KAR 51:260, Section 3(25) through 401 KAR 51:260, Section 3(29) (CSAPR SO_2 Group 1 Trading Program) must submit to the Administrator a petition requesting approval of the alternative in accordance with 401 KAR 51:240, Section 3(30) (CSAPR NO_x Annual Trading Program), 401 KAR 51:250, Section 3(30) (CSAPR SO_2 Group 1 Trading Program), and 401 KAR 51:260, Section 3(30) (CSAPR NO_x Ozone Season Group 2 Trading Program). The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on the EPA's website at http://www.epa.gov/airmarkets/emissions/petitions.html.

SECTION L – CROSS-STATE AIR POLLUTION RULE (CSAPR) (CONTINUED)

5. The descriptions of monitoring applicable to the unit included above meet the requirement of 401 KAR 51:240, Section 3(25) through 401 KAR 51:240, Section 3(29) (CSAPR NO_x Annual Trading Program), 401 KAR 51:250, Section 3(25) through 401 KAR 51:250, Section 3(29) (CSAPR NO_x Ozone Season Group 2 Trading Program), and 401 KAR 51:260, Section 3(25) through 401 KAR 51:260, Section 3(29) (CSAPR SO_2 Group 1 Trading Program), and therefore minor permit modification procedures, in accordance with 40 CFR 70.7(e)(2)(i)(B), may be used to add or change this unit's monitoring system description.

CSAPR NO_x Annual Trading Program requirements (401 KAR 51:240, Section 3(4))

a) Designated representative requirements.
The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 401 KAR 51:240, Section 3(10) through 401 KAR 51:240, Section 3(15).

b) Emissions monitoring, reporting, and recordkeeping requirements.

1) The owners and operators, and the designated representative, of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 401 KAR 51:240, Section 3(25) (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 401 KAR 51:240, Section 3(26) (initial monitoring system certification and recertification procedures), 401 KAR 51:240, Section 3(27) (monitoring system out-of-control periods), 401 KAR 51:240, Section 3(28) (notifications concerning monitoring), 401 KAR 51:240, Section 3(29) (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 401 KAR 51:240, Section 3(30) (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

2) The emissions data determined in accordance with 401 KAR 51:240, Section 3(25) through 401 KAR 51:240, Section 3(30) shall be used to calculate allocations of CSAPR NO_x Annual allowances under 401 KAR 51:240, Section 3(8) (40 CFR 97.411(a)(2) and (b)) and 401 KAR 51:240, Section 3(9) and to determine compliance with the CSAPR NO_x Annual emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 401 KAR 51:240, Section 3(25) through 401 KAR 51:240, Section 3(30) and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

c) NO_x emissions requirements.

1) CSAPR NO_x Annual emissions limitation.
   i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall hold, in the source's compliance account, CSAPR NO_x Annual allowances available for deduction for such control period under 401 KAR 51:240, Section 3(20) (40 CFR 97.424(a)) in an amount not less than the tons of total NO_x emissions for such control period from all CSAPR NO_x Annual units at the source.

SECTION L – CROSS-STATE AIR POLLUTION RULE (CSAPR) (CONTINUED)

ii) If total NO_x emissions during a control period in a given year from the CSAPR NO_x Annual units at a CSAPR NO_x Annual source are in excess of the CSAPR NO_x Annual emissions limitation set forth in paragraph (c)(1)(i) above, then:

A) The owners and operators of the source and each CSAPR NO_x Annual unit at the source shall hold the CSAPR NO_x Annual allowances required for deduction under 401 KAR 51:240, Section 3(20) (40 CFR 97.424(d)); and

B) The owners and operators of the source and each CSAPR NO_x Annual unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 401 KAR 51:240 and the Clean Air Act.

2) CSAPR NO_x Annual assurance provisions.

i) If total NO_x emissions during a control period in a given year from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_x emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO_x Annual allowances available for deduction for such control period under 401 KAR 51:240, Section 3(21) (40 CFR 97.425(a)) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 401 KAR 51:240, Section 3(21) (40 CFR 97.425(b)), of multiplying— (A) The quotient of the amount by which the common designated representative's share of such NO_x emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such NO_x emissions exceeds the respective common designated representative's assurance level; and (B) The amount by which total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the state for such control period exceed the state assurance level.

ii) The owners and operators shall hold the CSAPR NO_x Annual allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

iii) Total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the State during a control period in a given year exceed the state assurance level if such total NO_x emissions exceed the sum, for such control period, of the state NO_x Annual trading budget under 401 KAR 51:240, Section 3(7)(a)(1) and the state's variability limit under 401 KAR 51:240, Section 3(7)(a)(3).

SECTION L – CROSS-STATE AIR POLLUTION RULE (CSAPR) (CONTINUED)

iv) It shall not be a violation of 401 KAR 51:240, or of the Clean Air Act if total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the State during a control period exceed the state assurance level or if a common designated representative's share of total NO_x emissions from the CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the state during a control period exceeds the common designated representative's assurance level.

v) To the extent the owners and operators fail to hold CSAPR NO_x Annual allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

A) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and

B) Each CSAPR NO_x Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 401 KAR 51:240, and the Clean Air Act.

3) Compliance periods.

i) A CSAPR NO_x Annual unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015, or the deadline for meeting the unit's monitor certification requirements under 401 KAR 51:240, Section 3(25) (40 CFR 97.430(b)) and for each control period thereafter.

ii) A CSAPR NO_x Annual unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 401 KAR 51:240, Section 3(25) (40 CFR 97.430(b)) and for each control period thereafter.

4) Vintage of allowances held for compliance.

i) A CSAPR NO_x Annual allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year shall be a CSAPR NO_x Annual allowance that was allocated for such control period or a control period in a prior year.

ii) A CSAPR NO_x Annual allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year shall be a CSAPR NO_x Annual allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

5) Allowance Management System requirements. Each CSAPR NO_x Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 401 KAR 51:240.

SECTION L – CROSS-STATE AIR POLLUTION RULE (CSAPR) (CONTINUED)

6) Limited authorization. A CSAPR NO_x Annual allowance is a limited authorization to emit one ton of NO_x during the control period in one year. Such authorization is limited in its use and duration as follows:
   i) Such authorization shall only be used in accordance with the CSAPR NO_x Annual Trading Program; and

   ii) Notwithstanding any other provision of 40 CFR 97, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

7) Property right. A CSAPR NO_x Annual allowance does not constitute a property right.

d) Title V permit revision requirements.

1) No Title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO_x Annual allowances in accordance with 401 KAR 51:240.

2) This permit incorporates the CSAPR emissions monitoring, recordkeeping, and reporting requirements pursuant to 401 KAR 51:240, Section 3(25) through 401 KAR 51:240, Section 3(30), and the requirements for a continuous emission monitoring system (pursuant to 40 CFR 75, Subparts B and H), an excepted monitoring system (pursuant to 40 CFR 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this Title V permit using minor permit modification procedures in accordance with 401 KAR 51:240, Section 3(4) (40 CFR 97.406(d)(2)) and 70.7(e)(2)(i)(B).

e) Additional recordkeeping and reporting requirements.

1) Unless otherwise provided, the owners and operators of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall maintain on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
   i) The certificate of representation under 401 KAR 51:240, Section 3(13) for the designated representative for the source and each CSAPR NO_x Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 401 KAR 51:240, Section 3(13) changing the designated representative.

   ii) All emissions monitoring information, in accordance with 401 KAR 51:240.

SECTION L – CROSS-STATE AIR POLLUTION RULE (CSAPR) (CONTINUED)

iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO_x Annual Trading Program.

2) The designated representative of a CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall make all submissions required under the CSAPR NO_x Annual Trading Program, except as provided in 401 KAR 51:240, Section 3(15). This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a Title V operating permit program in 40 CFR 70.

f) Liability.

1) Any provision of the CSAPR NO_x Annual Trading Program that applies to a CSAPR NO_x Annual source or the designated representative of a CSAPR NO_x Annual source shall also apply to the owners and operators of such source and of the CSAPR NO_x Annual units at the source.

2) Any provision of the CSAPR NO_x Annual Trading Program that applies to a CSAPR NO_x Annual unit or the designated representative of a CSAPR NO_x Annual unit shall also apply to the owners and operators of such unit.

g) Effect on other authorities.

No provision of the CSAPR NO_x Annual Trading Program or exemption under 401 KAR 51:240, Section 3(3) shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NO_x Annual source or CSAPR NO_x Annual unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

CSAPR NO_x Ozone Season Group 2 Group 2 Trading Program Requirements (401 KAR 51:250, Section 3(4))

a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 401 KAR 51:250, Section 3(10) through 401 KAR 51:250, Section 3(15).

b) Emissions monitoring, reporting, and recordkeeping requirements.

1) The owners and operators, and the designated representative, of each CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 401 KAR 51:250, Section 3(25) (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 401 KAR 51:250, Section 3(26) (initial monitoring system certification and recertification procedures), 401 KAR 51:250, Section 3(27) (monitoring system out-of-control periods), 401 KAR 51:250, Section 3(28) (notifications concerning monitoring), 401 KAR 51:250, Section 3(29) (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 401 KAR

SECTION L – CROSS-STATE AIR POLLUTION RULE (CSAPR) (CONTINUED)

51:250, Section 3(30) (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

2) The emissions data determined in accordance with 401 KAR 51:250, Section 3(25) through 401 KAR 51:250, Section 3(30) shall be used to calculate allocations of CSAPR NO_x Ozone Season Group 2 allowances under 401 KAR 51:250, Section 3(8) (40 CFR 97.811(a)(2) and (b)) and 401 KAR 51:250, Section 3(9) (40 CFR 97.812) and to determine compliance with the CSAPR NO_x Ozone Season Group 2 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 401 KAR 51:250, Section 3(25) through 401 KAR 51:250, Section 3(30) and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

c) NO_x emissions requirements.

1) CSAPR NO_x Ozone Season Group 2 emissions limitation.

i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall hold, in the source's compliance account, CSAPR NO_x Ozone Season Group 2 allowances available for deduction for such control period under 401 KAR 51:250, Section 3(20) (40 CFR 97.824(a)) in an amount not less than the tons of total NO_x emissions for such control period from all CSAPR NO_x Ozone Season Group 2 units at the source.

ii) If total NO_x emissions during a control period in a given year from the CSAPR NO_x Ozone Season Group 2 units at a CSAPR NO_x Ozone Season Group 2 source are in excess of the CSAPR NO_x Ozone Season Group 2 emissions limitation set forth in paragraph (c)(1)(i) above, then:

A) The owners and operators of the source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall hold the CSAPR NO_x Ozone Season Group 2 allowances required for deduction under 401 KAR 51:250, Section 3(20) (40 CFR 97.824(d)); and

B) The owners and operators of the source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 401 KAR 51:250, and the Clean Air Act.

2) CSAPR NO_x Ozone Season Group 2 assurance provisions.

i) If total NO_x emissions during a control period in a given year from all CSAPR NO_x Ozone Season Group 2 units at CSAPR NO_x Ozone Season Group 2 sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_x emissions during such control period exceeds the common

SECTION L – CROSS-STATE AIR POLLUTION RULE (CSAPR) (CONTINUED)

designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO_x Ozone Season Group 2 allowances available for deduction for such control period under 401 KAR 51:250, Section 3(21) (40 CFR 97.825(a)) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 401 KAR 51:250, Section 3(21) (40 CFR 97.825(b)), of multiplying—

A) The quotient of the amount by which the common designated representative's share of such NO_x emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such NO_x emissions exceeds the respective common designated representative's assurance level; and

B) The amount by which total NO_x emissions from all CSAPR NO_x Ozone Season Group 2 units at CSAPR NO_x Ozone Season Group 2 sources in the state for such control period exceed the state assurance level.

ii) The owners and operators shall hold the CSAPR NO_x Ozone Season Group 2 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

iii) Total NO_x emissions from all CSAPR NO_x Ozone Season Group 2 units at CSAPR NO_x Ozone Season Group 2 sources in the state during a control period in a given year exceed the state assurance level if such total NO_x emissions exceed the sum, for such control period, of the State NO_x Ozone Season Group 2 trading budget under 401 KAR 51:250, Section 3(7)(a)(1) (40 CFR 97.810(a)) and the state's variability limit under 401 KAR 51:250, Section 3(7)(a)(3) (40 CFR 97.810(b)).

iv) It shall not be a violation of 401 KAR 51:250, or of the Clean Air Act if total NO_x emissions from all CSAPR NO_x Ozone Season Group 2 units at CSAPR NO_x Ozone Season Group 2 sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total NO_x emissions from the CSAPR NO_x Ozone Season Group 2 units at CSAPR NO_x Ozone Season Group 2 sources in the state during a control period exceeds the common designated representative's assurance level.

v) To the extent the owners and operators fail to hold CSAPR NO_x Ozone Season Group 2 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

A) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and

B) Each CSAPR NO_x Ozone Season Group 2 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through

SECTION L – CROSS-STATE AIR POLLUTION RULE (CSAPR) (CONTINUED)

(iii) above and each day of such control period shall constitute a separate violation of 401 KAR 51:250, and the Clean Air Act.

3) Compliance periods.
   i) A CSAPR NO_x Ozone Season Group 2 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of May 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 401 KAR 51:250, Section 3(25) (40 CFR 97.830(b)) and for each control period thereafter.

   ii) A CSAPR NO_x Ozone Season Group 2 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 401 KAR 51:250, Section 3(25) (40 CFR 97.830(b)) and for each control period thereafter.

4) Vintage of allowances held for compliance.
   i) A CSAPR NO_x Ozone Season Group 2 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year shall be a CSAPR NO_x Ozone Season Group 2 allowance that was allocated for such control period or a control period in a prior year.

   ii) A CSAPR NO_x Ozone Season Group 2 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year shall be a CSAPR NO_x Ozone Season Group 2 allowance that was allocated for a control period in a prior year or the control period in the given year or in the immediately following year.

5) Allowance Management System requirements. Each CSAPR NO_x Ozone Season Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 401 KAR 51:250.

6) Limited authorization. A CSAPR NO_x Ozone Season Group 2 allowance is a limited authorization to emit one ton of NO_x during the control period in one year. Such authorization is limited in its use and duration as follows:
   i) Such authorization shall only be used in accordance with the CSAPR NO_x Ozone Season Group 2 Trading Program; and

   ii) Notwithstanding any other provision of 401 KAR 51:250, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

7) Property right. A CSAPR NO_x Ozone Season Group 2 allowance does not constitute a property right.

SECTION L – CROSS-STATE AIR POLLUTION RULE (CSAPR) (CONTINUED)

d) Title V permit revision requirements.

1) No Title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO_x Ozone Season Group 2 allowances in accordance with 401 KAR 51:250.

2) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 401 KAR 51:250, Section 3(25) through 401 KAR 51:250, Section 3(30), and the requirements for a continuous emission monitoring system (pursuant to 40 CFR 75, Subparts B and H), an excepted monitoring system (pursuant to 40 CFR 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR 75, Subpart E). Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this Title V permit using minor permit modification procedures in accordance with401 KAR 51:250, Section 3(4) (40 CFR 97.806(d)(2)) and 70.7(e)(2)(i)(B).

e) Additional recordkeeping and reporting requirements.

1) Unless otherwise provided, the owners and operators of each CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall maintain on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
   i) The certificate of representation under 401 KAR 51:250, Section 3(13) for the designated representative for the source and each CSAPR NO_x Ozone Season Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 401 KAR 51:250, Section 3(13) changing the designated representative.

   ii) All emissions monitoring information, in accordance with 401 KAR 51:250.

   iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO_x Ozone Season Group 2 Trading Program.

2) The designated representative of a CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NO_x Ozone Season Group 2 Trading Program, except as provided in 401 KAR 51:250, Section 3(15). This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a Title V operating permit program in 40 CFR 70.

f) Liability.

1) Any provision of the CSAPR NO_x Ozone Season Group 2 Trading Program that applies to a CSAPR NO_x Ozone Season Group 2 source or the designated representative of a CSAPR

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NO_x Ozone Season Group 2 source shall also apply to the owners and operators of such source and of the CSAPR NO_x Ozone Season Group 2 units at the source.

2) Any provision of the CSAPR NO_x Ozone Season Group 2 Trading Program that applies to a CSAPR NO_x Ozone Season Group 2 unit or the designated representative of a CSAPR NO_x Ozone Season Group 2 unit shall also apply to the owners and operators of such unit.

g) Effect on other authorities.

No provision of the CSAPR NO_x Ozone Season Group 2 Trading Program or exemption under 401 KAR 51:250, Section 3(3) shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NO_x Ozone Season Group 2 source or CSAPR NO_x Ozone Season Group 2 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.

CSAPR SO_2 Group 1 Trading Program requirements (401 KAR 51:260, Section 3(4))

a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 401 KAR 51:260, Section 3(10) through 401 KAR 51:260, Section 3(15).

b) Emissions monitoring, reporting, and recordkeeping requirements.

1) The owners and operators, and the designated representative, of each CSAPR SO_2 Group 1 source and each CSAPR SO_2 Group 1 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 401 KAR 51:260, Section 3(25) (general requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 401 KAR 51:260, Section 3(26) (initial monitoring system certification and recertification procedures), 401 KAR 51:260, Section 3(27) (monitoring system out-of-control periods), 401 KAR 51:260, Section 3(28) (notifications concerning monitoring), 401 KAR 51:260, Section 3(29) (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 401 KAR 51:260, Section 3(30) (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

2) The emissions data determined in accordance with 401 KAR 51:260, Section 3(25) through 401 KAR 51:260, Section 3(30) shall be used to calculate allocations of CSAPR SO_2 Group 1 allowances under 401 KAR 51:260, Section 3(8) (40 CFR 97.611(a)(2)) and (b)) and 401 KAR 51:260, Section 3(9) and to determine compliance with the CSAPR SO_2 Group 1 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 401 KAR 51:260, Section 3(25) through 401 KAR 51:260, Section 3(30) and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

c) SO_2 emissions requirements.

1) CSAPR SO_2 Group 1 emissions limitation.

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i) As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR SO_2 Group 1 source and each CSAPR SO_2 Group 1 unit at the source shall hold, in the source's compliance account, CSAPR SO_2 Group 1 allowances available for deduction for such control period under 401 KAR 51:260, Section 3(20) (40 CFR 97.624(a)) in an amount not less than the tons of total SO_2 emissions for such control period from all CSAPR SO_2 Group 1 units at the source.

ii) If total SO_2 emissions during a control period in a given year from the CSAPR SO_2 Group 1 units at a CSAPR SO_2 Group 1 source are in excess of the CSAPR SO_2 Group 1 emissions limitation set forth in paragraph (c)(1)(i) above, then:

A) The owners and operators of the source and each CSAPR SO_2 Group 1 unit at the source shall hold the CSAPR SO_2 Group 1 allowances required for deduction under 401 KAR 51:260, Section 3(20) (40 CFR 97.624(d)); and

B) The owners and operators of the source and each CSAPR SO_2 Group 1 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation 401 KAR 51:260, and the Clean Air Act.

2) CSAPR SO_2 Group 1 assurance provisions.

i) If total SO_2 emissions during a control period in a given year from all CSAPR SO_2 Group 1 units at CSAPR SO_2 Group 1 sources in the state exceed the state assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO_2 emissions during such control period exceeds the common designated representative's assurance level for the state and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR SO_2 Group 1 allowances available for deduction for such control period under 401 KAR 51:260, Section 3(21) (40 CFR 97.625(a)) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 401 KAR 51:260, Section 3(21) (40 CFR 97.625(b)), of multiplying—

A) The quotient of the amount by which the common designated representative's share of such SO_2 emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the state for such control period, by which each common designated representative's share of such SO_2 emissions exceeds the respective common designated representative's assurance level; and

B) The amount by which total SO_2 emissions from all CSAPR SO_2 Group 1 units at CSAPR SO_2 Group 1 sources in the state for such control period exceed the state assurance level.

ii) The owners and operators shall hold the CSAPR SO_2 Group 1 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day),

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or midnight of the first business day thereafter (if November 1 is not a business day), immediately after such control period.

iii) Total SO_2 emissions from all CSAPR SO_2 Group 1 units at CSAPR SO_2 Group 1 sources in the state during a control period in a given year exceed the state assurance level if such total SO_2 emissions exceed the sum, for such control period, of the state SO_2 Group 1 trading budget under 401 KAR 51:260, Section 3(7)(a)(1) and the state's variability limit under 401 KAR 51:260, Section 3(7)(a)(3).

iv) It shall not be a violation of 401 KAR 51:260, or of the Clean Air Act if total SO_2 emissions from all CSAPR SO_2 Group 1 units at CSAPR SO_2 Group 1 sources in the state during a control period exceed the state assurance level or if a common designated representative's share of total SO_2 emissions from the CSAPR SO_2 Group 1 units at CSAPR SO_2 Group 1 sources in the state during a control period exceeds the common designated representative's assurance level.

v) To the extent the owners and operators fail to hold CSAPR SO_2 Group 1 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,

A) The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and

B) Each CSAPR SO_2 Group 1 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 401 KAR 51:260, and the Clean Air Act.

3) Compliance periods.

i) A CSAPR SO_2 Group 1 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 401 KAR 51:260, Section 3(25) (40 CFR 97.630(b)) and for each control period thereafter.

ii) A CSAPR SO_2 Group 1 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 401 KAR 51:260, Section 3(25) (40 CFR 97.630(b)) and for each control period thereafter.

4) Vintage of allowances held for compliance.

i) A CSAPR SO_2 Group 1 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year shall be a CSAPR SO_2 Group 1 allowance that was allocated for such control period or a control period in a prior year.

ii) A CSAPR SO_2 Group 1 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year shall be a CSAPR SO_2 Group 1 allowance that was allocated for a control period

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in a prior year or the control period in the given year or in the immediately following year.

5) Allowance Management System requirements. Each CSAPR SO_2 Group 1 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 401 KAR 51:260.

6) Limited authorization. CSAPR SO_2 Group 1 allowance is a limited authorization to emit one ton of SO_2 during the control period in one year. Such authorization is limited in its use and duration as follows:
   i) Such authorization shall only be used in accordance with the CSAPR SO_2 Group 1 Trading Program; and

   ii) Notwithstanding any other provision of 401 KAR 51:260, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

7) Property right. CSAPR SO_2 Group 1 allowance does not constitute a property right.

d) Title V permit revision requirements.

1) No Title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO_2 Group 1 allowances in accordance with 401 KAR 51:260.

2) This permit incorporates the CSAPR emissions monitoring, recordkeeping and reporting requirements pursuant to 401 KAR 51:260, Section 3(25) through 401 KAR 51:260, Section 3(30), and the requirements for a continuous emission monitoring system (pursuant to 40 CFR 75, Subparts B and H), an excepted monitoring system (pursuant to 40 CFR 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR 75, Subpart E), Therefore, the Description of CSAPR Monitoring Provisions table for units identified in this permit may be added to, or changed, in this Title V permit using minor permit modification procedures in accordance with 401 KAR 51:260, Section 3(4) (40 CFR 97.606(d)(2)) and 70.7(e)(2)(i)(B).

e) Additional recordkeeping and reporting requirements.

1) Unless otherwise provided, the owners and operators of each CSAPR SO_2 Group 1 source and each CSAPR SO_2 Group 1 unit at the source shall maintain on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
   (i). The certificate of representation under 401 KAR 51:260, Section 3(13) for the designated representative for the source and each CSAPR SO_2 Group 1 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and

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documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.616 changing the designated representative.

(ii). All emissions monitoring information, in accordance with 401 KAR 51:260.

(iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO_2 Group 1 Trading Program.

2) The designated representative of a CSAPR SO_2 Group 1 source and each CSAPR SO_2 Group 1 unit at the source shall make all submissions required under the CSAPR SO_2 Group 1 Trading Program, except as provided in 401 KAR 51:260, Section 3(15). This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a Title V operating permit program in 40 CFR 70.

f) Liability.

1) Any provision of the CSAPR SO_2 Group 1 Trading Program that applies to a CSAPR SO_2 Group 1 source or the designated representative of a CSAPR SO_2 Group 1 source shall also apply to the owners and operators of such source and of the CSAPR SO_2 Group 1 units at the source.

2) Any provision of the CSAPR SO_2 Group 1 Trading Program that applies to a CSAPR SO_2 Group 1 unit or the designated representative of a CSAPR SO_2 Group 1 unit shall also apply to the owners and operators of such unit.

g) Effect on other authorities.

No provision of the CSAPR SO_2 Group 1 Trading Program or exemption under 401 KAR 51:260, Section 3(3) shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR SO_2 Group 1 source or CSAPR SO_2 Group 1 unit from compliance with any other provision of the applicable, approved state implementation plan, a federally enforceable permit, or the Clean Air Act.