Kansas Administrative Regulations

Department of Health and Environment

Article 19.—Ambient Air Quality Standards and Air Pollution Control—Nonattainment Area Requirements.

28-19-16c. Creditable emission reductions.

For the purpose of allowing credit for emissions reductions claimed in relation to the determination of reasonable further progress toward attainment of the national ambient air quality standards required under the provisions of K.A.R. 28-19-16g, the following additional requirements shall apply:

(a) If an existing fuel combustion source commits to switch, at some future date, to a fuel that emits less pollutants, emissions offset credit based upon allowable (or actual) emissions for the fuels involved shall not be allowed unless the source that has committed to the fuel switch has also committed to the use of a specified alternative control measure which would achieve the same degree of emissions reduction should the source switch back, at some later date, to a fuel that emits more pollutants. Before the offset credits are given for these proposed fuel switches, the secretary shall ensure that adequate long term supplies of the new fuel are available.

(b) Where emission reduction credits are proposed to result from a shutdown of an existing source or permanently curtailing production or operating hours below baseline levels, these reductions shall not be credited unless the work force to be affected by this action has been notified of the proposed shutdown or curtailment. Source shutdowns or curtailments in production occurring before the completed source application is received by the department of health and environment or its designated representative may not be used for the purpose of establishing offset credits unless the applicant has demonstrated that this curtailment or shutdown occurred after August 7, 1977, and the proposed new source construction, reconstruction or modification is a replacement for the shutdown or curtailment that is proposed to be used to offset the emissions from it.

(c) Emissions reduction credit shall not be allowed for replacing one volatile organic compound with another of less reactivity, except for those compounds listed in Table 1

of the "Recommended Policy on Control of Volatile Organic Compounds" as published on page 35314 of the July 8, 1977 issue of the Federal Register.
(Authorized by K.S.A. 65-3005, 65-3008, 65-3010; implementing K.S.A. 65-3005, 65-3008, 65-3010; effective, E-81-35, Nov. 12, 1980; effective May 1, 1981; amended May 1, 1982.)

***** Authenticated Kansas Administrative Regulation *****