Kansas Administrative Regulations

Department of Health and Environment

Article 19.—Ambient Air Quality Standards and Air Pollution Control—Stack Height Requirements.

28-19-18f. Notification requirements.

A source shall not obtain credit for a good engineering practice stack height determined by a fluid modeling or field study or based on allowances for plume impaction, as provided for by K.A.R. 28-19-18c(c) unless:

(a) A public notice that indicates the nature of the proposal, the availability of the demonstration study, and that the public may either request a hearing or submit written comments directly to the secretary concerning the proposal is published in a newspaper, having general circulation in the area in which the source is, or will be, located;

(b) a copy of the public notice that is provided for by subsection (a) is sent to the applicant, state and local officials, and the regional administrator of U.S. environmental protection agency; and

(c) a public hearing is held on the matter upon the written request of any person affected by the proposed action. This request shall be made within 30 days of the date of notice being provided in the manner prescribed by subsections (a) and (b) of this regulation.

(Authorized by and implementing K.S.A. 65-3005, 65-3010; effective May 1, 1983; amended, T-88-2, Jan. 23, 1987; amended May 1, 1988.)

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