Kansas Administrative Regulations

Department of Health and Environment

Article 19.—Ambient Air Quality Standards and Air Pollution Control—Operating Permits.

28-19-514. Class I operating permits; permit term; renewal.

(a) Permit term. Each class I operating permit shall specify the expiration date of the permit.

(1) Class I operating permits issued to solid waste incineration units combusting municipal waste subject to standards under section 129(e) of the federal clean air act, shall have a maximum term of 12 years from the date of issuance and shall be reviewed by the department every five years.

(2) Class I operating permits issued to affected sources shall have a term of five years.

(3) All other class I operating permits shall have a maximum term of five years from the date of issuance.

(b) The class I operating permit shall not expire on the expiration date if a complete application, as defined at K.A.R. 28-19-518, for renewal of the current permit, including any applicable application fee, has been submitted to the department not less than six months and not more than eighteen months before the expiration date of the permit. In such case, the class I operating permit shall expire on the earliest of the following dates:

(1) any date the application is determined incomplete subsequent to the expiration date;

(2) the date the permit is renewed;

(3) the effective date of any new operating permit if a different class of operating permit is issued for the stationary source;

(4) the date the department determines the stationary source does not require an operating permit; or

(5) if the department's action on the application is unfavorable, the last day for seeking judicial review of the department's action.

(c) The application for renewal of a class I operating permit shall be in writing and made on forms provided or approved by the department.

(d) An application for renewal of a class I operating permit shall be consistent with the requirements of K.A.R. 28-19-511.

(Authorized by K.S.A. 1993 Supp. 65-3005; implementing K.S.A. 1993 Supp. 65-3008; effective Jan. 23, 1995.)

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