Kansas Administrative Regulations

Department of Health and Environment

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

28-19-16g. Attainment and maintenance of national ambient air quality standards.

(a) A permit for major stationary source construction, or modification, shall not be issued under the provisions of K.A.R. 28-19-16b if emissions from this source would prevent the attainment and maintenance of the national ambient air quality standards by the date specified in the approved Kansas implementation plan.

(b) Attainment and maintenance of the national ambient air quality standards shall be determined according to compliance with either of the two following requirements:

(1) Reasonable further progress toward attainment of the national ambient air quality standards shall be required. This progress shall be demonstrated when, by the time the newly permitted source is to commence operation, total allowable emissions from:

(A) other existing sources in the identified nonattainment area;

(B) other new or modified sources which are not major stationary sources; and

(C) this proposed source shall be less than the total emissions allowed from sources existing before application for the permit.

(2) Emissions resulting from the proposed new or modified major stationary source shall not cause or contribute to emissions levels which exceed the allowance permitted for the pollutant in the area for all new or modified major stationary sources in the approved plan.

(Authorized by and implementing K.S.A. 65-3005, 1984 Supp. 65-3008 and K.S.A. 65-3010; effective, E-81-35, Nov. 12, 1980; effective May 1, 1981; amended May 1, 1982; amended May 1, 1986.)

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