Kansas Administrative Regulations

Department of Health and Environment

Article 19.—Ambient Air Quality Standards and Air Pollution Control—General Regulations.

28-19-12. Measurement of emissions.

(A) The department may require any person responsible for the operation of an emission source to make or have tests made to determine the rate of contaminant emissions from the source whenever it has reason to believe on the basis of estimates of potential contaminant emission rates from the source and due consideration to probable efficiency of any existing control device, or visible emission determinations made by an official observer, that existing emissions exceed the limitations specified in these control regulations. Such tests may also be required pursuant to verifying that any newly installed control device meets performance specifications. If such a test demonstrates that the applicable emission requirement is met, no more than one (1) such test shall be required during any twelve (12) consecutive calendar month period. *Provided, however,* that should the department determine that the test did not represent normal operating conditions or emissions additional tests may be required. Such a requirement shall be considered as an order as provided for in K.S.A. 1970 Supp. 65-3011 and subject to all administrative and legal requirements specified therein.

Required tests shall be conducted in accordance with procedures approved by the director as being in accordance with sound analytical and sampling procedures. Such tests shall be conducted by reputable, qualified individuals, as approved by the department, and a certified written copy of the test results signed by the person conducting the test shall be provided to the department.

(B) The department may conduct tests of emissions of contaminants from any source. Upon written request from the department, the person responsible for the source to be tested shall cooperate with the department in providing all necessary test ports in stacks or ducts and such other safe and proper facilities, exclusive of instruments and sensing devices, as may be reasonably required to conduct the test

with due regard being given to expenditures and possible disruption of normal operation of the source. A report concerning the findings of such tests shall be furnished to the person responsible for the source upon request.

(C) The director may require the owner or operator of any emission source which is subject to the provisions of these regulations to install, use, and maintain such stationary monitoring equipment as is required to demonstrate continuing compliance with any applicable emission limitations, and to maintain records and make reports regarding such measured emissions to the department in a manner and on a schedule to be determined by the director.

(Authorized by K.S.A. 1971 Supp. 65-3005, 65-3006, 65-3007, 65-3009, 65-3010; effective Jan. 1, 1971; amended Jan. 1, 1972.)

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