Kansas Administrative Regulations

Department of Health and Environment

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

28-19-16b. Permit required.

(a) A major stationary source shall not begin actual construction, or major modification unless the owner or operator of the source has been issued a permit approving this activity. The permit shall be signed by the secretary or an authorized representative of the secretary and shall specify the emission rate limitations allowable for the source and any special conditions to be imposed on its operation to insure regulatory compliance. Special operating conditions may include, but need not be limited to, specified periods of operation, restrictions on the amount and types of material to be combusted, stored or processed, control equipment operating and maintenance requirements, emissions monitoring requirements, and restrictions on other source operations.

(b) Application for a permit shall be submitted on forms provided by the secretary or his or her designated representative. The application shall include, in addition to that information required by K.A.R. 28-19-8(a), the information that is required by the secretary to determine the net emissions increase that will occur at the time that the permitted activity is completed. All proposed actions reported under the provisions of K.A.R. 28-19-8 shall be reviewed by the secretary to determine the possible applicability of this regulation to the proposed action and advise the source owner or operator of any need to submit a permit application. The secretary or a designated representative shall advise the applicant of each deficiency in the application or accompanying information. If a deficiency exists, the receipt date of the completed application shall be the date on which the department of health and environment or its designated representative received all required information.

(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 *****