Kansas Administrative Regulations

Department of Health and Environment

Article 19.—Ambient Air Quality Standards and Air Pollution Control—Air Pollution Emergencies.

28-19-58. Emergency episode plans.

(A) Any person responsible for the operation of a source of air contamination adjudged to be of major concern with respect to possible implementation of air pollution emergency episode control procedures either because of the nature or the quantity of its emissions shall, at the request of the department, prepare an emergency episode plan to be implemented in the event that any episode status is declared by the director. Such plans shall provide for the reduction of emissions of those contaminants for which episode criteria have been established and, consistent with good industrial practice and safe operating procedures, reflect adherence to the requirements established in tables E-1, E-2, and E-3 of regulation 28-19-57.

(B) All plans requested under the provisions of 28-19-58 (A) shall be submitted to the department in written form, within 60 days of receipt of such a request; and shall be subject to review and approval by the department. Such plans shall indicate the sources of contamination to be controlled or eliminated; the manner in which such action will be accomplished; and the approximate amount of specific contaminant emissions that will be eliminated.

(C) The department after reviewing any plan submitted in accordance with this regulation shall approve or disapprove it on the basis of its consistency with the intent of regulation 28-19-57. If such a plan is disapproved the department shall state its reasons for disapproval and specify those changes needed to provide an approvable plan. Such action shall be in writing and considered to be issued under the provisions of K.S.A. 65-3011 and subject to the provisions therein.

(D) Those plans which are approved under section C of this regulation shall be maintained on the premises to which they apply and shall be implemented during those periods for which an episode status has been established. Implementation of such a

plan shall be considered as an emergency order of the engineer of the board to immediately reduce or discontinue the emission of contaminants in accordance with K.S.A. 65-3012, and subject to the provisions contained therein.
(Authorized by K.S.A. 1971 Supp. 65-3005, 65-3006, 65-3010, 65-3011, 65-3012, 65-3013, 65-3014; effective Jan. 1, 1972.)

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