

40 C.F.R. § 52.870

Identification of plan.

(a) *Purpose and scope.* This section sets forth the applicable SIP for Kansas under Section 110 of the CAA, 42 U.S.C. 7401 *et seq.* and 40 CFR Part 51 to meet NAAQS.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to December 31, 2014, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the Federal Register. Entries in paragraphs (c) and (d) of this section with EPA approval dates after December 31, 2014, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 7 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated state rules/regulations which have been approved as part of the SIP as of December 31, 2014.

(3) Copies of the materials incorporated by reference may be inspected at the Environmental Protection Agency, Region 7, Air Planning and Development Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219; at the EPA, Air and Radiation Docket and Information Center, and the National Archives and Records Administration (NARA). If you wish to obtain material from the EPA Regional Office, please call (913) 551-7089. For information on the availability of this material at NARA, call (202) 741-6030, or go to: www.archives.gov/federal-register/cfr/ibr-locations.html.

(c) *EPA-approved regulations.*

EPA-Approved Kansas Regulations

Kansas citation	Title	State effective date	EPA approval date	Explanation
Kansas Department of Health and Environment Ambient Air Quality Standards and Air Pollution Control				
General Regulations				
K.A.R. 28-19-6	Statement of Policy	1/1/72	5/31/72, 37 FR 10867	Kansas revoked this rule 5/1/82.
K.A.R. 28-19-8	Reporting Required	1/23/95	7/17/95, 60 FR 36361	

K.A.R. 28-19- 9	Time Schedule for Compliance	5/1/84	12/21/87, 52 FR 48265	
K.A.R. 28-19- 10	Circumvention of Control Regulations	1/1/71	5/31/72, 37 FR 10867	
K.A.R. 28-19- 11	Exceptions Due to Breakdowns or Scheduled Maintenance	1/1/74	11/8/73, 38 FR 30876	
K.A.R. 28-19- 12	Measurement of Emissions	1/1/71	5/31/72, 37 FR 10867	
K.A.R. 28-19- 13	Interference with Enjoyment of Life and Property	1/1/74	11/8/73, 38 FR 30876	
K.A.R. 28-19- 14	Permits Required	1/24/94	7/17/95, 60 FR 36361	
K.A.R. 28-19- 15	Severability	1/1/71	5/31/72, 37 FR 10867	
Nonattainment Area Requirements				
K.A.R. 28-19- 16	New Source Permit Requirements for Designated Nonattainment Areas	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 16a	Definitions	10/10/97	1/11/00, 65 FR 1545	
K.A.R. 28-19- 16b	Permit Required	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 16c	Creditable Emission Reductions	10/16/89	1/16/90, 55 FR 1420	EPA deferred action on the state's current definition of the terms "building, structure, facility, or installation"; "installation"; and "reconstruction."

K.A.R. 28-19- 16d	Fugitive Emission Exemption	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 16e	Relaxation of Existing Emission Limitations	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 16f	New Source Emission Limits	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 16g	Attainment and Maintenance of National Ambient Air Quality Standards	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 16h	Compliance of Other Sources	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 16i	Operating Requirements	10/16/89	1/16/90 55 FR 1420	
K.A.R. 28-19- 16j	Revocation and Suspension of Permit	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 16k	Notification Requirements	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 16l	Failure to Construct	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 16m	Compliance with Provisions of Law Required	10/16/89	1/16/90, 55 FR 1420	
Attainment Area Requirements				
K.A.R. 28-19- 17	Prevention of Significant Deterioration of Air Quality	11/22/02	2/26/03, 68 FR 8845	K.A.R. 28-19-17a through 28-19-17q revoked. Provision moved to K.A.R. 28-19-350.
Stack Height Requirements				

K.A.R. 28-19- 18	Stack Heights	5/1/88	4/20/89, 54 FR 15934	The state regulation has stack height credit. EPA has not approved that part.
K.A.R. 28-19- 18b	Definitions	5/1/88	4/20/89, 54 FR 15934	
K.A.R. 28-19- 18c	Methods for Determining Good Engineering Practice Stack Height	5/1/88	4/20/89, 54 FR 15934	
K.A.R. 28-19- 18d	Fluid Modeling	5/1/88	4/20/89, 54 FR 15934	
K.A.R. 28-19- 18e	Relaxation of Existing Emission Limitations	5/1/88	4/20/89, 54 FR 15934	
K.A.R. 28-19- 18f	Notification Requirements	5/1/88	4/20/89, 54 FR 15934	
Continuous Emission Monitoring				
K.A.R. 28-19- 19	Continuous Emission Monitoring	6/8/92	1/12/93, 58 FR 3847	
Processing Operation Emissions				
K.A.R. 28-19- 20	Particulate Matter Emission Limitations	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 21	Additional Emission Restrictions	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 23	Hydrocarbon Emissions— Stationary Sources	12/27/72	11/8/73, 38 FR 30876	
K.A.R. 28-19- 24	Control of Carbon Monoxide Emissions.	1/1/72	11/8/73, 38 FR 30876	
Indirect Heating Equipment Emissions				

K.A.R. 28-19- 30	General Provisions	1/1/72	5/31/72, 37 FR 10867	
K.A.R. 28-19- 31	Emission Limitations	11/8/93	10/18/94, 59 FR 52425	
K.A.R. 28-19- 32	Exemptions— Indirect Heating Equipment	11/8/93	10/18/94, 59 FR 52425	
Incinerator Emissions				
K.A.R. 28-19- 40	General Provisions	1/1/71	5/31/72, 37 FR 10867	
K.A.R. 28-19- 41	Restriction of Emission	12/27/72	11/8/73, 38 FR 30876	
K.A.R. 28-19- 42	Performance Testing	1/1/72	11/8/73, 38 FR 30876	
K.A.R. 28-19- 43	Exceptions	1/1/71	5/31/72, 37 FR 10867	
Air Pollution Emergencies				
K.A.R. 28-19- 55	General Provisions	1/1/72	5/31/72, 37 FR 10867	
K.A.R. 28-19- 56	Episode Criteria	10/16/89	1/16/90, 55 FR 1420	
K.A.R. 28-19- 57	Emission Reduction Requirements	1/1/72	5/31/72, 37 FR 10867	
K.A.R. 28-19- 58	Emergency Episode Plans	1/1/72	5/31/72, 37 FR 10867	
Volatile Organic Compound Emissions				

K.A.R. 28-19- 61	Definitions	10/7/91	6/23/92, 57 FR 27936	
K.A.R. 28-19- 62	Testing Procedures	10/7/71	6/23/92, 57 FR 27936	
K.A.R. 28-19- 63	Automobile and Light Duty Truck Surface Coating	11/8/93	10/18/94, 59 FR 52425	
K.A.R. 28-19- 64	Bulk Gasoline Terminals	5/1/88	5/18/88, 53 FR 17700	
K.A.R. 28-19- 65	Volatile Organic Compounds (VOC) Liquid Storage in Permanent Fixed Roof Type Tanks	5/1/88	5/18/88, 53 FR 17700	
K.A.R. 28-19- 66	Volatile Organic Compounds (VOC) Liquid Storage in External Floating Roof Tanks	5/1/88	5/18/88, 53 FR 17700	
K.A.R. 28-19- 67	Petroleum Refineries	5/1/86	1/2/87, 52 FR 53	
K.A.R. 28-19- 68	Leaks from Petroleum Refinery Equipment	5/1/86	1/2/87, 52 FR 53	
K.A.R. 28-19- 69	Cutback Asphalt	5/1/88	5/18/88, 53 FR 17700	
K.A.R. 28-19- 70	Leaks from Gasoline Delivery Vessels and Vapor Collection Systems	5/15/98	1/11/00, 65 FR 1545	
K.A.R. 28-19- 71	Printing Operations	5/1/88	5/18/88, 53 FR 17700	

K.A.R. 28-19- 72	Gasoline Dispensing Facilities	5/1/88	5/18/88, 53 FR 17700	
K.A.R. 28-19- 73	Surface Coating of Miscellaneous Metal Parts and Products and Metal Furniture	6/8/92	1/12/93, 58 FR 3847	
K.A.R. 28-19- 74	Wool Fiberglass Manufacturing	5/1/88	5/18/88, 53 FR 17700	
K.A.R. 28-19- 76	Lithography Printing Operations	10/7/91	6/23/92, 57 FR 27936	
K.A.R. 28-19- 77	Chemical Processing Facilities That Operate Alcohol Plants or Liquid Detergent Plants	10/7/91	6/23/92, 57 FR 27936	
General Provisions				
K.A.R. 28-19- 200	General Provisions; definitions	1/2/11	2/22/11, 76 FR 9658	
K.A.R. 28-19- 201	General Provisions; Regulated Compounds List	10/10/97	1/11/00, 65 FR 1545	
K.A.R. 28-19- 204	Permit Issuance and Modification; Public Participation	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 210	Calculation of Actual Emissions	11/22/93	1/11/00, 65 FR 1545	

K.A.R. 28-19- 212	Approved Test Methods and Emission Compliance Determination Procedures	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 274	Nitrogen Oxide allocations	11/6/15	6/29/16 and 81 FR 42256	Approval of EGU-specific NO _x allocations does not include KAR 28-19-274(a)(2) (A) and (a)(2)(B).
Construction Permits And Approvals				
K.A.R. 28-19- 300	Applicability	11/18/2016	11/3/2018, 83 FR 49826	
K.A.R. 28-19- 301	Application and Issuance	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 302	Additional Provisions; Construction Permits	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 303	Additional Provisions; Construction Approvals	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 304	Fees	11/18/2016	11/3/2018, 83 FR 49826	
K.A.R. 28-19- 350	Prevention of Significant Deterioration (PSD) of Air Quality	12/28/2012	4/17/2020, 85 FR 21329	Provisions of the 2010 PM _{2.5} PSD-Increments, SILs and SMCs rule relating to SILs and SMCs that were affected by the January 22, 2013, U.S. Court of Appeals decision are not SIP approved. Provisions of the 2002 NSR reform rule relating to the Clean Unit Exemption, Pollution Control Projects, and exemption from recordkeeping provisions for certain sources using the actual-to-projected-actual emissions projections test are not SIP approved. In addition, we have not approved Kansas rule incorporating EPA's 2008 "fugitive emissions rule" (published in the Federal Register on December 19, 2008).
General Permits				
K.A.R. 28-19- 400	General Requirements	1/23/95	7/17/95, 60 FR 36361	

K.A.R. 28-19- 401	Adoption by the Secretary	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 402	Availability of Copies; Lists of Sources to Which Permits Issued	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 403	Application to Construct or Operate Pursuant to Terms of General Permits	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 404	Modification, Revocation	1/23/95	7/17/95, 60 FR 36361	
Operating Permits				
K.A.R. 28-19- 500	Applicability	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 501	Emissions Limitations and Pollution Control Equipment for Class I and Class II Operating Permits; Conditions	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 502	Identical Procedural Requirements	1/23/95	7/17/95, 60 FR 36361	
Class II Operating Permits				
K.A.R. 28-19- 540	Applicability	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 541	Application Timetable and Contents	1/23/95	7/17/95, 60 FR 36361	

K.A.R. 28-19- 542	Permit-by-Rule	9/23/05	2/8/08, 73 FR 7468	
K.A.R. 28-19- 543	Permit Term and Content; Operational Compliance	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 544	Modification of Sources or Operations	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 545	Application Fee	1/23/95	7/17/95, 60 FR 36361	
K.A.R. 28-19- 546	Annual Emission Inventory	9/23/05	2/8/08, 73 FR 7468	
K.A.R. 28-19- 561	Permit-by-Rule; Reciprocating Engines	9/23/05	2/8/08, 73 FR 7468	
K.A.R. 28-19- 562	Permit-by-Rule; Organic Solvent Evaporative Sources	9/23/05	2/8/08, 73 FR 7468	
K.A.R. 28-19- 563	Permit-by-Rule; Hot Mix Asphalt Facilities	9/23/05	2/8/08, 73 FR 7468	
K.A.R. 28-19- 564	Permit-by-Rule; Sources with Actual Emissions Less Than 50 Percent of Major Source Thresholds	10/4/02	3/26/03, 68 FR 14540	
Open Burning Restrictions				
K.A.R. 28-19- 645	Open Burning Prohibited	3/1/96	10/2/96, 61 FR 51366	
K.A.R. 28-19- 646	Responsibility for Open Burning	3/1/96	10/2/96, 61 FR 51366	

K.A.R. 28-19- 647	Exceptions to Prohibition on Open Burning	3/1/96	10/2/96, 61 FR 51366	
K.A.R. 28-19- 648	Agricultural Open Burning	3/1/96	10/2/96, 61 FR 51366	
K.A.R. 28-19- 650	Emissions Opacity Limits	1/29/99	12/12/01, 66 FR 64148 (correction). 1/11/00, 65 FR 1545	
Nitrogen Oxide Emissions				
K.A.R. 28-19- 712	Definitions	6/25/10	2/20/13, 78 FR 11751	
K.A.R. 28-19- 712a	Applicability	6/25/10	2/20/13, 78 FR 11751	
K.A.R. 28-19- 712b	General requirement for heavy-duty diesel vehicles	6/25/10	2/20/13, 78 FR 11751	
K.A.R. 28-19- 712c	General requirement for load and unload locations	6/25/10	2/20/13, 78 FR 11751	
K.A.R. 28-19- 712d	Exemptions	6/25/10	2/20/13, 78 FR 11751	
K.A.R. 28-19- 713	Applicability	6/25/10	2/20/13, 78 FR 11751	
K.A.R. 28-19- 713a	Emission limitation requirements	6/25/10	2/20/13, 78 FR 11751	
K.A.R. 28-19- 713b	Alternate emissions limit	6/25/10	2/20/13, 78 FR 11751	

K.A.R. 28-19- 713c	Control measures and equipment	6/25/10	2/20/13, 78 FR 11751	
K.A.R. 28-19- 713d	Compliance demonstration, monitoring, and reporting requirements	6/25/10	2/20/13, 78 FR 11751	
Volatile Organic Compound Emissions				
K.A.R. 28-19- 714	Control of Emissions from Solvent Metal Cleaning	9/1/02	10/30/02, 67 FR 66058	
K.A.R. 28-19- 717	Control of Volatile Organic Compound (VOC) Emissions from Commercial Bakery Ovens in Johnson and Wyandotte Counties	12/22/00	12/12/01, 66 FR 64148	
Conformity				
K.A.R. 28-19- 800	General Conformity of Federal Actions	3/15/96	10/2/96, 61 FR 51366	

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