



Top 10 Violations

KDHE Air Permit Violations





Number 10

Failure to comply with requirements of an enforcement action



Number 9

Open burning

- Unauthorized waste materials
- Unauthorized waste materials in KDHE-approved tree-and-brush-only burn sites

Number 8

Visible emissions (opacity)

- Exceeds opacity limit
- Improper testing procedure



Number 7

Failure to install, maintain or operate required pollution control equipment (not installed or disconnected)

- Examples include —
 - Baghouses
 - Scrubbers
 - Catalytic converters

Number 6

Excessive emissions of regulated pollutants

- Regulatory limitations on emissions
(NSPS, NESHAP, MACT, RACT)
- Permit conditions or limitations
 - Monitoring requirements

Number 5

Failure to maintain or submit required records or reports

- Title V annual certifications or semi-annual summary reports
 - NESHAP/MACT reports
 - Unavailable for inspector's review

Number 4

Failure to obtain a construction permit or approval

- Prior to start of construction or modification of unreported regulated equipment, or
 - emission/process units, and/or
- operations and process changes that potentially increase emissions.

Number 3

Failure to obtain an air emissions operating permit

- Class I operating permit (major sources)
- Class II operating permit (synthetic minor)



Number 2

Failure to submit a timely
Class I renewal operating permit application
(Know your due date!)

Number 1

Failure to conduct performance test (emission testing)

- Not performed by deadline
- Failure to submit required notifications or prior notice of testing dates
 - Failure to demonstrate compliance
- Failure to follow required testing procedures and protocols

Kansas Air Regulations

Top 10 KDHE Air Permit Violations



The mission of the [Kansas Department of Health and Environment](#) (KDHE) is to protect and improve the health and environment of all Kansans. Air operating permits are one of the tools KDHE uses to monitor and control air emissions so all Kansans can live and play in clean air. If your facility has an air operating permit, KDHE has the authority to conduct an inspection to ensure you are complying with its requirements.

If there is a top-10 list you do not want to belong to, it is the top -10 list of air quality violations discovered during these inspections. Both KDHE [Bureau of Air](#) and the [Kansas Small Business Environmental Assistance Program](#) are committed to providing proactive advice to help you stay off this list.

3. Failure to obtain an air emissions operating permit
 - Class I operating permit (major sources)
 - Class II operating permit (synthetic minor)
4. Failure to obtain a construction permit or approval
 - Prior to start of construction or modification of unreported regulated equipment or emission/process units and/or operations and process changes that potentially increase emissions
5. Failure to maintain or submit required records or reports
 - Title V annual certifications or semi-annual summary reports
 - NESHAP/MACT reports
 - Unavailable for inspector's review

