

# AIRlines

Helping small businesses comply with the Air Quality Act

Spring 2006

## Countdown to compliance— BAR's top-ten list

The Bureau of Air and Radiation (BAR) has recently reviewed facility inspection records and published a list of the ten most common violations. Take a look at this list and associated compliance tips to see how you can avoid these common violations!

10. Failure to comply with requirements of an enforcement action you received as part of an inspection or formal letter from BAR. Details of those required enforcement actions your company must address may be found in a:
- Notice of noncompliance (NON)
  - Departmental order
  - Consent agreement and final order of the secretary

*Tip: If violations were noted during your inspections, correct the problem immediately if possible, and then follow up to ensure the problem does not reoccur.*

9. Emissions of regulated pollutants that exceed the allowable limits set by your permit or by a special standard that applies to your facility, such as,
- Regulatory limitations on emissions such as NSPS, NESHAP,

MACT, and/or RACT rules

- Permit conditions or limitations

*Tip: Read your permit and understand emission limits and process restrictions that apply if you fall under one of these special standards or rules.*

8. Visible emissions (opacity) violations

*Tip: Be familiar with your facility's opacity limit and what normal emissions look like when operating in compliance. Opacity violations may occur during equipment malfunctions.*

7. Open burning violations such as
- Unauthorized burning
  - Burning unauthorized waste materials

*Tip: Unless specifically exempted or approved in writing, open burning is prohibited at businesses in Kansas. To read more about open burning go to [http://www.kdheks.gov/air-permit/tech\\_guidance.html](http://www.kdheks.gov/air-permit/tech_guidance.html).*

6. Failure to install, maintain, or operate required pollution control equipment such as bag houses, cyclones, or catalytic converters

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5. Performance test violations which may include the following:
  - Tests not performed by regulatory deadline
  - Failure to submit required notifications or prior notice of testing dates
  - Failure to demonstrate compliance
  - Failure to follow required testing procedures and protocols

*Tip: A guide to performance testing (often called "stack testing") can be found at [http://www.kdheks.gov/air-permit/forms/Performance\\_Test\\_Guidelines.pdf](http://www.kdheks.gov/air-permit/forms/Performance_Test_Guidelines.pdf).*

4. Failure to obtain an air emissions operating permit
  - When required, either as a new business or a business whose emissions have increased due to expansion or process changes
  - Deadlines not met after issuance of a construction permit

*Tip: Know your permit limits, monitor your emissions, and report exceedances as dictated by your permit. Understand what your potential to emit (PTE) is and if you have questions about calculating your PTE, go to [http://www.sbeap.org/ppi/publications/Potential\\_To\\_Emit.pdf](http://www.sbeap.org/ppi/publications/Potential_To_Emit.pdf).*

3. Failure to obtain a construction

- permit or approval
  - Prior to the start of construction or modification
  - For unreported regulated equipment or an emission/process unit installed

*Tip: If you add new equipment or make changes at your facility that change your PTE, you may need a pre-construction review or permit. The BAR Technical Guidance document, Commencing Construction at [http://www.kdheks.gov/air-permit/forms/Pre\\_Construction.pdf](http://www.kdheks.gov/air-permit/forms/Pre_Construction.pdf), details what type of activities can be initiated prior to issuance of a permit or approval from BAR.*

2. Failure to perform required monitoring
  - Construction or operating permit requirement
  - Applicable regulatory requirement
  - Process or operational parameters
  - Pollution control equipment
  - Visible emission (opacity) monitoring

*Tip: If your permit requires monitoring, determine who is responsible for the monitoring, ensure proper training, and set up a schedule and documentation system to ensure the monitoring is completed and deficiencies are reported and corrected.*

- 1) Failure to maintain or submit required records or reports
  - Title V annual certifications or semiannual reports
  - NESHAP/MACT reports
  - Operational and maintenance plans or logs, or
  - Report and records are unavailable for an inspector's review

*Tip: Get organized and document everything. Know what reports you need to file and then file them on time. Keep copies of these reports, your permit correspondence, and operational and maintenance logs in a file that is easily accessible for the inspector.*

If you need help with environmental compliance or understanding your air permit, contact BAR at 785-296-6024 or SBEAP at 800-578-8898. Each facility has a permit engineer assigned to it, so get to know your permit limitations and stay away from the top ten list. ☀

**Paperwork tip:** Maintain separate files for different environmental regulations that apply to your facility. For example, file your air permit and reports separate from your hazardous waste manifests, or SPCC plan.

## Abbreviations used in Kansas AIRlines

CAA	Clean Air Act (as amended in 1990)
EMS	environmental management system
EPA	U.S. Environmental Protection Agency
HAP	hazardous air pollutant
KDHE	Kansas Department of Health and Environment
MACT	maximum achievable control technology
MSDS	material safety data sheet
NESHAP	National Emissions Standard for Hazardous Air Pollutants
NOx	nitrogen oxides
P2	pollution prevention
POTW	publicly owned treatment works
PTE	potential to emit
SBEAP	Kansas Small Business Environmental Assistance Program
SIC	standard industrial classification
VOC	volatile organic compound

## Editorial Board

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# Class II emissions inventory due April 1—April Fools? Not!

Those of you with Class II operating permits know you must submit an annual emissions inventory. But did you know the due date has changed? Inventories are now due earlier—April 1. Facilities with Class II operating permits should have received reporting forms by now. If not, forms are available on the Web at [www.kdheks.gov/emission/forms.html](http://www.kdheks.gov/emission/forms.html). Every business must include the facility information form plus the form that applies specifically to its process or equipment.

Are inventory forms due if a facility didn't operate all or part of last year? If you want to keep your Class II permit active, you must submit the inventory form. Just explain the facility didn't operate and there are

no emissions to report. If your facility shut down its operations and wishes to deactivate or terminate the permit, notify KDHE in writing. Submit an emissions inventory for the part of the year which the facility was active.

If you are required to calculate actual emissions, be sure to use the method that most accurately depicts the situation. Worksheets included in inventory packets cover a variety of methods for calculating actual emissions including mass balance, fuels analysis, and emissions factor approaches. If you prefer to use another method such as an emissions model, attach the calculated results and supporting data to your inventory form.

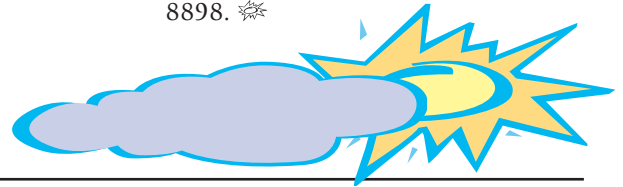
If your facility maintains records of actual emissions, consider attaching the records to the inventory form instead of filling out the worksheets. This is not required but encouraged. Write "See attachment" on the form.

Send inventory emission reports to:

Cathy Watson  
Permitting and Compliance Section  
KDHE Bureau of Air and Radiation  
1000 SW Jackson, Suite 310  
Topeka, KS 66612-1366  
785-296-1947

If you have questions, contact your KDHE permit engineer or the Small Business Environmental Assistance Program at 800-578-8898. ☀

## EMS workshops coming in April



Do you want greater assurance in maintaining regulatory compliance? Would you like to have a training document that guides employees' handling of air emissions, hazardous wastes, and contaminated water discharges—helping your company stay in compliance? If so, you may want to attend SBEAP's EMS workshop. The first session will be held in Salina on April 4, the second in Wichita on April 11, and the third will be held in Overland Park on April 25. All sessions will run from 8:30 a.m. to 3:30 p.m. To register, call the Small Business Environmental Assistance Program at 1-800-578-8898, or go to [www.sbeap.org](http://www.sbeap.org) and click on Environmental Management System Workshops.

An EMS provides a tool for improving environmental performance and is based on the "plan, do,

check, act" model for continual improvement. In the "plan" phase, you will identify regulatory requirements and significant environmental aspects of your operations. You will develop programs to meet your objectives and targets. In the "do" phase, you will assign environmental management responsibilities, write work procedures, create emergency response plans, and train employees. In the "check" phase, you will monitor activities and measure results. In the "act" phase, you will review variances from the plan with top management and tweak the EMS to ensure continuous improvement.

After you implement the EMS, everyone in your company will be aware of his or her environmental responsibilities and will know how to do their jobs in an environmentally responsible manner. Your EMS

auditing system will ensure environmental requirements are met. Also, operating procedures will be documented so they will not be lost due to turnover. Finally, because the EMS process involves everyone in your company, communication will improve, offering all the opportunity to suggest methods of reducing your company's environmental footprint. In addition to improving environmental compliance, most companies implementing an EMS have realized significant improvement to their bottom line.

Helpful Web sites for EMS information are [www.peercenter.net](http://www.peercenter.net), [www.p2pays.org](http://www.p2pays.org), [www.epa.gov/performance-track](http://www.epa.gov/performance-track) and [www.dnr.mo.gov/oacc/memp-ems.htm](http://www.dnr.mo.gov/oacc/memp-ems.htm). If you would like to learn more about EMS, contact Steve Travis at 800-578-8898. ☀

# AIRlines events calendar

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EMS workshops will be held in April 2006. If you want greater assurance in maintaining regulatory compliance, don't miss these important workshops. For more information, see the EMS article in this newsletter; or to register for this workshop, go to <http://www.sbeap.org/workshops.html>.

Small Business Assistance Program National Conference will be March 26-30, 2006, at the Mt. Washington Resort, Bretton Woods, N. H. SBAP awards will be presented at this conference. Details are posted at <http://www.sbpconference.com/>.

National Environmental Partnership Summit 2006 will be held in Atlanta, Ga., May 8-11, 2006. The theme of this year's conference is "Stewardship in Action: Our Responsibility - Our Environment." For detailed agenda and registration information, go to <http://www.environmentalsummit.org/>.

Kansas pollution prevention award applications are due in June 2006. Applications can be downloaded at <http://www.kdheks.gov/sbcs/>. If you need help quantifying your P2 efforts, call SBEAP at 800-578-8898 now for ideas and assistance.

## 2006 MACT watch

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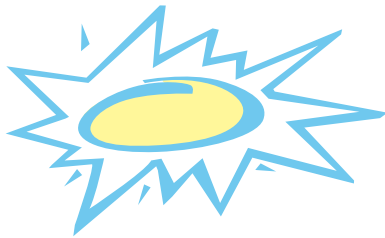
The following industries have compliance dates in 2006; the regulatory reference, and notification and compliance dates are listed with Web sites for each standard.

**RRRR** – Metal Furniture Surface Coating, Initial notification: 5/24/04, Compliance date: 5/23/06  
[http://www.epa.gov/ttncaaa1/t3/fr\\_notices/scmf\\_pr.pdf](http://www.epa.gov/ttncaaa1/t3/fr_notices/scmf_pr.pdf)

**WWWW** – Reinforced Plastic Composites Production, Initial notification: 8/19/03, Compliance date: 4/21/06  
[http://www.epa.gov/ttncaaa1/t3/fr\\_notices/rpc\\_fr.pdf](http://www.epa.gov/ttncaaa1/t3/fr_notices/rpc_fr.pdf)

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## Where to turn...



For regulatory assistance with general technical information, MACT standards, or air permitting, please contact the air permit writer (KDHE Bureau of Air and Radiation) assigned to your facility at 785-296-1570. You can also check the KDHE air permit program Web site, <http://www.kdhe.state.ks.us/air-permit/index.html>, for contact information.

For free, confidential, non-regulatory assistance with air-related questions; fact sheets; or other general information, contact the K-State University Small Business Environmental Assistance Program (SBEAP) through the toll-free hotline at 800-578-8898.

If you have a question or concern, or are unsure of whom to call for help, contact the Office of the Public Advocate at 800-357-6087; or in Topeka, call 785-296-0669.

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