



Top 10 KDHE air permit violations

The mission of the [Kansas Department of Health and Environment](#)¹ (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](#)² and the [Kansas Small Business Environmental Assistance Program](#)³ are committed to providing proactive advice to help you stay off this list.

As the adage says, “Forewarned is forearmed.” This fact sheet provides you a list of the top 10 air quality violations as reported by the KDHE Bureau of Air. Review this list and your permit, and implement steps to ensure your facility is in compliance with all air permit requirements. Remember, you can always contact KDHE or SBEAP for assistance.

KDHE field inspectors reside in [six district offices](#)⁴ throughout the state of Kansas to assist you. If you don’t want to discuss the matter with a KDHE inspector, give SBEAP a call at 800- 878-8898, or e-mail us at sbeap@ksu.edu.

Top 10 KDHE air permit violations

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
2. Failure to submit a timely application Class I renewal operating permit (Know your due date!). Permit submittals are now through the Kansas Environmental Information system or [KEIMS](#)⁵.
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
 - All applications are submitted online through KEIMS.
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
6. Excessive emissions of regulated pollutants
 - Regulatory limitations on emissions (NSPS, NESHAP, MACT, RACT)
 - Permit conditions or limitations
 - Monitoring requirements
7. Failure to install, maintain or operate required pollution control equipment (not installed or disconnected)
 - Examples include —
 - * Baghouses
 - * Scrubbers
 - * Catalytic converters
8. Visible emissions (opacity)
 - Exceeds opacity limit
 - Improper testing procedure
9. Open burning
 - Unauthorized waste materials
 - Unauthorized waste materials in KDHE-approved tree-and-brush-only burn sites
10. Failure to comply with requirements of an enforcement action.

SBEAP has developed several tools, fact sheets and videos to help you determine and maintain your compliance requirements so you can stay off this top-10 list. Visit our [website](#)⁶ to take advantage of our free and confidential services.

Web references

1. <http://www.kdheks.gov/>
2. <http://www.kdheks.gov/bar/index.html>
3. <http://www.sbeap.org/>
4. <https://www.kdheks.gov/bar/download/AODistrictMaps.pdf>
5. <https://www.kdheks.gov/bar/doe-keims-panels.html>
6. <http://www.sbeap.org/>

This publication was created by Kansas State University's Pollution Prevention Institute through the Small Business Environmental Assistance Program (SBEAP). SBEAP's mission is to help Kansas small businesses comply with environmental regulations and identify pollution prevention opportunities. SBEAP is funded through a contract with the Kansas Department of Health and Environment. SBEAP services are free and confidential. For more information, call 800-578-8898, send an e-mail to sbeap@ksu.edu, or visit our Web site at www.sbeap.org. Kansas State University is an EEO/AA provider.

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