



K-State SBEAP

Introduction To Air Regulations



This video is funded in part by the Kansas Department of Health and Environment Bureau of Air

KDHE Bureau of Air

A screenshot of the KDHE Bureau of Air website. The header features the Kansas Department of Health and Environment logo with the motto 'AD ASTRA PER ASPERA' and the names of Governor Laura Kelly and Secretary Lee A. Norman, M.D. Below the header is a navigation menu with links for Home, Public Health, Environment, Health Care Finance, Laboratories, and News. The main content area is titled 'Air' and includes a search bar, a 'Notice of Request for Information - Volkswagen Settlement', and several categorized lists of links. The footer contains social media icons and a search bar.

Kansas
Department of Health and Environment

Laura Kelly, Governor
Lee A. Norman, M.D., Secretary

Home Public Health Environment Health Care Finance Laboratories News

Bureau of Air (BoA)

Air

1000 SW Jackson, Suite 310
Topeka, KS 66612-1366

Mission - To protect the public and the environment from air pollution.

Notice of Request for Information - Volkswagen Settlement

Asbestos

- About Asbestos
- Asbestos Resources and Forms
- Asbestos Information Notices
- Asbestos Regulations

Compliance and Enforcement

- Compliance Technical Guidance and Information
- Compliance Frequently Asked Questions
- Compliance Helpful Links

Emissions Inventory

- SLEIS Electronic Inventory Submittal
- Paper Inventory Submittal Forms
- Inventory Frequently Asked Questions

Residential Lead Hazard Prevention

- Lead Hazard Prevention
- Licensing and Certification
- Statutes and Regulations

Links

- Contact Us
- Clean Air Act Section 111d
- Air Monitoring Data/Air Quality Index
- Air Quality Statutes and Regulations
- AIRNow - Air Quality Mapping
- Clean Air Tips
- EPA Air Quality
- Flint Hills Smoke Management Plan Development
- Kansas Flint Hills Smoke Management
- KDHE Waiver of Fuel Standards Due To COVID-19
- Greenhouse Gas Tailoring Rule
- Idling Reduction Rule
- Kansas Clean Air Act Advisory Group

<https://www.kdheks.gov/bar/index.html>

Kansas Statutes and Regulations



- Kansas Statutes Annotated under Chapter 65, Article 30 – Kansas Air Quality Act
 - KDHE Secretary and Division of Environment
 - http://www.ksrevisor.org/statutes/ksa_ch65.html
- Kansas Air Quality Regulations: Kansas Administrative Regulations (K.A.R) 28-19-et seq.
 - KDHE Bureau of Air - <https://www.kdheks.gov/bar/regs.html>

K-State SBEAP Air Quality Regulations and Resources



Access to Air Quality State and EPA Rules –

<https://www.sbeap.org/air-quality/regulations-resources>

Small Business Environmental Compliance Assistance

Featured Compliance Tools

Pollution Prevention Intern Program

Air Quality Regulations and Resources

Regulations are often cited in construction approvals, and construction and operating permits. This page contains links to the Kansas Air Quality Act, Kansas Administrative Regulations (K.A.R.) for air quality and EPA Air Regulations.

Kansas Air Quality Regulations

Kansas Administrative Regulations (K.A.R.) contain rules applicable to air-emission sources in Kansas. KDHE publishes public notices on its website any time a new rule, modification of a rule, proposed draft permits, or other air-planning or air-monitoring strategies are being proposed or have been promulgated. The following links will direct you outside of the K-State PPI website to KDHE Bureau of Air and state of Kansas statutes.

[Kansas Air Quality Regulations](#) – link to Kansas' current air quality regulations.

[Kansas Air Quality Act - Kansas Statutes Annotated Chapter 65, Article 30](#) – link to statutes for the Kansas Air Quality Act.

[KDHE Bureau of Air Public Notice Page](#) – link to the website for public notice of new/revised regulations, draft permits, proposed planning and air monitoring.

EPA Air Quality Regulations

KDHE's Bureau of Air has adopted by reference most of EPA's air regulations, as identified by K.A.R. 28-19-720, et seq., K.A.R. 28-19-735, et seq., and K.A.R. 28-19-750, et seq. The links below will direct you to the federal eCFR.

These federal rules can apply to your facility based on its sector type, identification by Standard Industrial Codes (SIC) or the North American Industrial Code System (NAICS), or to particular equipment or manufacturing process types. For example, in addition to state rules, federal regulations have been adopted by state rules for boilers. Applicability of these rules are dependent on numerous factors such as type of boiler; size of boiler; fuels fired; or year the boiler was constructed, reconstructed or modified; and PTE emissions of hazardous air pollutants (HAPs) at your facility (major HAP or minor HAP source).

[40 CFR Part 60 - Standards of Performance for New Stationary Sources, NSPS rules](#) – adopted by K.A.R. 28-19-720, except as identified in the regulation.

NEED HELP?

The Small Business Environmental Assistance Program, or SBEAP, can provide free on-site assistance to small businesses who need help understanding environmental compliance requirements. Contact SBEAP at 800-578-8898 or sbeap@ksu.edu.

Most Frequently Cited K.A.R.s



State-Wide K.A.R.

- 28-19-9
- 8-19-20
- 28-19-30 through 32
- 28-19-300 through 350
- 28-19-500 through 564
- 28-19-645
- 28-19-650
- 28-19-720
- 28-19-735
- 28-19-750

Johnson and Wyandotte County Specific K.A.R.

- Known as the RACT Rules
 - 28-19-63 through 28-19-77
 - 28-19-712 through 28-19-712d
 - 28-19-713 through 28-19-713d
 - 28-19-714
 - 28-19-717
 - 28-19-719

EPA Federal Regulations



As indicated earlier, Kansas adopts most of the Federal air quality regulations by reference.

Examples of applicability includes, but is not limited to:

- sector type (e.g. Portland cement or boat manufacturing)
- NAICS/SIC
- equipment type (e.g. engine, incinerator or boiler)

National Emission Standards for Hazardous Air Pollutants (NESHAPs) 40 CFR Part 61



- Only 22 Standards plus Subpart A – General Provisions
 - First Regulations concentrating on HAPs
 - Some of the first rules originated back to Apr. 6, 1973
 - Mercury, Asbestos and Beryllium were identified as HAPs in 1971.
 - Most notable:
 - Subpart J – Equipment Leaks of Benzene
 - Subpart M – Asbestos
 - Subpart V – Equipment Leaks (Fugitive sources)
 - Subpart FF – Benzene Waste Operations

Standards of Performance for New Stationary Sources (NSPS) 40 CFR Part 60



- These rules are Process or Source Specific
 - Ensure new sources are less polluting than old sources
 - Apply to new, modified and reconstructed affected facilities
 - Approximately 99 NSPS Rules
 - Engines
 - Landfills
 - Boilers
 - Equipment Leaks
 - Oil and Gas
 - Air Curtain Combustors

National Emission Standards for Hazardous Air Pollutants 40 CFR Part 63



These rules are Source Type Specific and Control Technology Based

- Apply to existing, new, modified and reconstructed affected sources
- Ensure all sources under a category meet “Achievable” emission standards
- Rules for major sources, areas sources, some cover both major and area
 - Engines
 - Boilers
 - Gasoline Dispensing
 - Miscellaneous Surface Coating
 - Metal Finishing

Free, Confidential Air Permitting and Compliance Assistance



K-State Small Business Environmental Assistance Program or SBEAP provides free technical assistance to small businesses.

Contact us at sbeap@ksu.edu, call 1-800-878-889, or visit our website at www.sbeap.org

Outside of Kansas? There are SBEAPs in nearly every state. Check out the National SBEAP website at <https://nationalsbeap.org/states>.