

K.A.R. 28-19-11 EXCEPTIONS DUE TO BREAKDOWNS OR SCHEDULED MAINTENANCE

(A) Abnormal operating conditions resulting from malfunction breakdown, and or necessary repairs to control or processing equipment and appurtenances which cause emissions in excess of the limitations specified in the emission control regulations shall not be deemed violations provided that: (1) The person responsible for the operation of the emission source notifies the department of the occurrence and nature of such malfunctions, breakdown, or repairs, in writing, within ten (10) days of noted occurrence.

(2) The number of occurrences of such breakdowns is not deemed excessive by the department and appropriate reasonable action is taken to initiate and complete any necessary repairs and place the equipment back in operation as quickly as possible.

(B) Emissions in excess of the limitations specified in these emission control regulations resulting from scheduled maintenance of control equipment and appurtenances will be permitted only on the basis of prior approval by the department and upon demonstration that such maintenance cannot be accomplished by maximum reasonable effort, including off-shift labor where required, during periods of shutdown of any related equipment.

(C) Excessive contaminant emission from fuel burning equipment used for indirect heating purposes resulting from fuel or load changes, start up, soot blowing, cleaning of fires, and rapping of precipitators will not be deemed violations provided that they do not exceed a period or periods aggregating more than five (5) minutes during any consecutive one (1) hour period. *Provided, however,* That where the operator of such equipment can demonstrate to the satisfaction of the department that any such specific operational procedures will require that the allowable time period for excessive emissions be extended beyond five (5) minutes during any one hour, the department may authorize, upon request of the operator, an adjusted time schedule for permitting such excessive emissions. Such authorization shall require that visible emissions not exceed an opacity of 60 percent; and shall specify an appropriate time and daily frequency schedule for such excessive emissions. (Authorized by K.S.A. 1974 Supp. 65-3005, 65-3006, 65-3010; effective Jan. 1, 1971; amended Jan. 1, 1972; amended E-74-7, Jan. 1, 1974; amended May 1, 1975.)

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EPA Rulemakings

CFR: 40 C.F.R. 52.870(c)(4)
FRM: 38 FR 30876 (11/8/73)
PRM: none
State Submission: 4/17/73
State Effective Date: 1/1/74
APDB File: KS-00
Description: This revision makes minor changes such as the elimination of Ringelmann Number in favor of an opacity provision, which does not affect the control strategy.

CFR: 40 C.F.R. 52.870(b)
FRM: 37 FR 10867 (5/31/72)
PRM: none
State Submission: 1/31/72
State Effective Date: 1/1/71
APDB File: KS-00
Description: This was part of the original SIP and approved requirements in case of breakdowns or scheduled maintenance.

Difference Between the State and EPA-Approved Regulation

None.