

**K.A.R. 28-19-57 EMISSION REDUCTION REQUIREMENTS**

(A) Upon the declaration of any air pollution episode status by the director the provisions of sections B, C and D of this regulation shall be considered as an emergency order of the board issued in accordance with K.S.A. 65-3012 and subject to the provisions therein.

(B) During any time designated as an air pollution alert period no person shall operate any contaminant emission sources except in compliance with the requirements of table E-1.

(C) During any time designated as an air pollution warning period no person shall operate any contaminant emission sources except in compliance with the requirements of tables E-1 and E-2.

(D) During any time designated as an air pollution emergency period no person shall operate any contaminant emission source except in compliance with the requirements of table E-1, E-2, and E-3.

(Authorized by K.S.A. 1971 Supp. 65-3005, 65-3006, 65-3010, 65-3012, 65-3013, 65-3014; effective Jan. 1, 1972.)

TABLE E-1 Source Restrictions Air Pollution Alert Status	
Source category	Action required
1. All private, public and <b>commercial premises.</b>	(a) There shall be no open burning except as required for immediate disposal of inflammable or otherwise hazardous gases or liquids. (b) The use of incinerators for the disposal of any waste materials shall be limited to the hours between 12:00 noon and 4:00 p.m. (c) Boiler lancing or soot blowing of fuel burning equipment requiring such operations shall be limited to the hours between 12:00 noon and 4:00 p.m.
2. Coal or oil-fired electric power generating facilities.	(a) Units shall be operated on natural gas when possible. (b) Units shall be operated on the lowest sulfur and ash fuels available. (c) Substantial utilization shall be made of power generated outside of the area included in episode status declaration.
3. Other coal and oil-fired process steam generating facilities.	(a) Units shall be operated on natural gas when possible. (b) Units shall be operated on lowest sulfur and ash fuels available. (c) Steam loads shall be reduced to extent possible consistent with continuing plant operations.
4. Manufacturing, industries required to submit episode plans in accordance with regulation 28-19-58.	(a) Air contaminants emissions from processing operations shall be substantially reduced by curtailing or postponing production and allied operations to the extent possible without causing economic hardships.

TABLE E-2 Source Restrictions Air Pollution Warning Status	
Source category	Action required
1. All private, public and commercial premises.	(a) The use of incinerators for the disposal of any waste materials shall be prohibited.
2. Coal or oil-fired power generating facilities.	(a) Maximum utilization shall be made of power generated by facilities outside of the area included in the episode status declarations.
3. Other coal and oil-fired process steam generating facilities.	(a) Preparation shall be made to immediately take action required under emergency status.
4. Manufacturing industries required to submit episode plans in accordance with regulation 28-19-58.	(a) Air contaminant emissions from processing operations shall be reduced to the maximum degree possible by curtailing and postponing production and altered operations to the extent feasible with, if necessary, the assumption of reasonable economic hardships.
5. Transportation.	(a) The use of private and commercial motor vehicles should be limited by deferring unnecessary travel and utilizing car pools or mass transportation facilities where possible.

TABLE E-3 Source Restrictions Air Pollution Emergency Status	
Source category	Action required
1. All private, public, and commercial premises.	(a) The following places of employment shall immediately cease operations: (1) Mining and quarrying operations. (2) Construction projects except as required to avoid emergent physical harm. (3) All manufacturing operations except those operating under an approved episode plan. (4) Wholesale trade establishments. (5) Governmental units, except as required to implement the provisions of these regulations and other operations essential to immediate protection of the public welfare and safety. (6) Educational institutions (7) Retail trade and service establishments except pharmacies, food stores and other similar operations providing for emergency needs. (8) Other commercial service operations such as those engaged in banking, insurance, real estate, advertising, etc. (9) Amusement and recreational facilities.
2. Electric power generating facilities.	(a) Same as table E-2.
3. Process steam generating facilities.	(a) Facilities shall be shut down to the maximum extent possible consistent with preventing extensive equipment damage.
4. Manufacturing industries required to submit episode plan in accordance with regulation 28-19-58.	(a) Air contaminant emissions from processing operations shall be reduced to the maximum degree possible by ceasing or drastically curtailing all production and allied operations to the extent feasible with due regard to any immediate likelihood of resultant personal injury or substantial equipment damage.
5. Transportation.	(a) The use of motor vehicles shall be restricted to meeting private and public emergency needs.

K.A.R. 28-19-57

EPA Rulemakings

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: 1/1/72  
APDE File: KS-00  
Description: This was part of the original SIP and requires curtailment of certain operations during air pollution episodes.

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Difference Between the State and EPA-Approved Regulation

None.