

Notice Concerning Proposed Kansas  
Air Quality Class I Operating Permit

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Unruh Excavating, LLC has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Unruh Excavating, LLC, 10028 N. Hertzler Road, Moundridge, KS 67107, owns and operates a portable air curtain incinerator currently located in Sedgwick County.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review, during normal business hours, at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the South Central District Office, 300 West Douglas, Suite 700, Wichita, KS 67202. To obtain or review the proposed permit and supporting documentation, contact Cathy Richardson, 785-296-1947 at the central office of KDHE or Dave Butler, 316-337-6020, at the SCDO. The standard departmental cost will be assessed for any copies requested.

Please direct written comments or questions regarding the proposed permit to Cathy Richardson, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than noon on December 29, 2014.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than noon on December 29, 2014 in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency (USEPA) has a 45-day review period, which will start concurrently with public comment period, within which to object to the proposed permit. If the USEPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the USEPA to review the permit. The 60-day public petition period will directly follow the USEPA 45-day review period. Interested parties may contact KDHE to determine if the USEPA 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, USEPA, Region VII, Air Permitting and Compliance Branch, 11201 Renner Boulevard, Lenexa, Kansas 66219, (913) 551-7960, to determine when the 45-day USEPA review period ends and the 60-day petition period commences.

Robert Moser, MD, Secretary  
Kansas Department of Health and Environment