

## 224 – Air Quality

### New Facility Construction:

As this project is presented, the Contractor should comply with all applicable Division for Air Quality permitting requirements contained in 401 KAR Chapter 52 Permits, Registrations, and Prohibitory Rules located at <https://apps.legislature.ky.gov/law/kar/titles/401/052/040/>

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Kentucky Division for Air Quality Regulation **401 KAR 63:010** Fugitive Emissions states that no person shall cause, suffer, or allow any material to be handled, processed, transported, or stored without taking reasonable precaution to prevent particulate matter from becoming airborne. Additional requirements include the covering of open bodied trucks, operating outside the work area transporting materials likely to become airborne, and that no one shall allow earth or other material being transported by truck or earth moving equipment to be deposited onto a paved street or roadway.

Kentucky Division for Air Quality Regulation **401 KAR 63:005** states that open burning is prohibited. Open Burning is defined as the burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the outdoor atmosphere without passing through a stack or chimney. However, open burning may be utilized for the expressed purposes listed on the Open Burning Fact Sheet located at <http://air.ky.gov/SiteCollectionDocuments/Open%20Burning%20Fact%20Sheet.pdf>.

Finally, the projects listed in this document must meet the General Conformity requirements of the Clean Air Act as amended. Guidance for General Conformity can be found at <http://www.faa.gov/arp/600home.cfm>.

The Division also suggests an investigation into compliance with applicable local government regulations. Contact the Regulation Development Section, Kentucky Division for Air Quality, at **(502) 564-3999** for air quality attainment status.

Listed below are permits for various designations: Contact the Division of Air Quality for project coordination. Most projects will not affect air quality status; however, this section serves as a guide on types of permits.

#### **Title V permits**

66 FR 54953, OCT 31, 2001

#### **Federally-enforceable permits for non-major sources**

67 FR 79523, DEC 30, 2002

Definitions for 401 KAR Chapter 52.

CURRENT STATUS: Federally Enforceable

Title IV & V

SIP Approval In-process

66 FR 54953, OCT 31, 2001 (Title IV & V)

67 FR 79523, DEC 30, 2002 (SIP)

**State-origin permits**

CURRENT STATUS: Not Federally Enforceable

**Permit application forms**

Federally Enforceable

Title V

SIP Approval In-process

66 FR 54953, OCT 31, 2001 (Title V)

67 FR 79523, DEC 30, 2002 (SIP)

**Registration of designated sources**

CURRENT STATUS: Not Federally Enforceable

**Public, affected state, and U.S. EPA review**

CURRENT STATUS: Federally Enforceable Title IV & V, SIP Approval In-process

66 FR 54953, OCT 31, 2001 (Title IV & V)

67 FR 79523, DEC 30, 2002 (SIP)

**Prevention of significant deterioration of air quality**

CURRENT STATUS: Federally Enforceable Regulation

Approved to Kentucky SIP

63 FR 39741, JUL 24, 1998

**Review of new sources in or impacting upon nonattainment areas**

CURRENT STATUS: Replaced Emergency Regulation (401 KAR 51:052E)

Federally Enforceable Regulation

Approved to Kentucky SIP

59 FR 32343, JUN 23, 1994

**Prevention of significant deterioration of air quality**

CURRENT STATUS: Federally Enforceable Regulation

Approved to Kentucky SIP

63 FR 39741, JUL 24, 1998

**Attainment status designations**

CURRENT STATUS: Federally Enforceable Regulation

Approved to Kentucky SIP

63 FR 39739, JUL 24, 1998

Definitions and abbreviations of terms used in

401 KAR Chapter 51.

CURRENT STATUS: Federally Enforceable Regulation

Approved to Kentucky SIP

68 FR 37418, JUN 24, 2003