

Notice Concerning Proposed Kansas
Air Quality Class I Operating Permit Significant Modification
and Amendments to Previously Issued Construction Permits

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed permit significant modification of an air quality operating permit and amendments to previously issued construction permits. AGC Flat Glass North America Spring Hill Plant has applied for a permit significant modification of the facility's Class I operating permit in accordance with the provisions of K.A.R. 28-19-513 et al. Notice is also given that certain requirements in the construction permits dated September 9, 1992, February 24, 1993, and May 8, 1996 are being modified by a modification of permit conditions.

AGC Flat Glass North America Spring Hill Plant, 20400 North Webster St., Spring Hill, Kansas 66083, owns and operates a flat glass manufacturing facility located at 20400 North Webster St., Spring Hill, Kansas 66083.

A copy of the proposed operating permit significant modification, operating permit significant modification application, modification of permit conditions, all supporting documentation and all information relied upon during the operating permit significant modification application review process are available for a 30 day public review during normal business hours at the KDHE, Bureau of Air and Radiation (BAR), 1000 SW Jackson, Suite 310, Topeka, Kansas 66612-1366. Also, a copy of the proposed operating permit significant modification and modification of permit conditions only can be reviewed at the Johnson County Environmental Department, 11811 S. Sunset, Suite 2700, Olathe, KS 66061. To obtain or review the proposed operating permit significant modification, modification of permit conditions and supporting documentation, contact James D. Stewart, 785-296-1556 at the central office of the KDHE, and review of the proposed permits only, contact Mike Boothe, 913-715-6939 at the Johnson County Environmental Department. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the documents to James D. Stewart, KDHE, BAR, 1000 SW Jackson, Suite 310, Topeka, Kansas 66612-1366, 785-296-1556. In order to be considered in formulating a final decision written comments must be received no later than the close of business on February 2, 2009.

A person may request a public hearing be held on the proposed documents. 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 Ms. Sharon Burrell, KDHE, BAR, 1000 SW Jackson, Suite 310, Topeka, Kansas 66612-1366, no later than the close of business on February 2, 2009 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 the 30-day 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 the objections to the permits 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 Jon Knodel, USEPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th Street, Kansas City, Kansas 66101, (913) 551-7097, to determine when the 45 day USEPA review period ends and the 60-day petition period commences.

Roderick L. Bremby, Secretary

Kansas Department of Health and Environment