

Notice Concerning Proposed Kansas
Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Deffenbaugh Industries, Inc. has applied for a Class I operating permit renewal 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.

Deffenbaugh Industries, Inc., 18181 West 53rd Street, Shawnee, Kansas, 66203, owns and operates a solid waste landfill in Johnson County, Kansas located at 18181 West 53rd Street, Shawnee, Kansas, 66203.

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 a 30 day public review during normal business hours at the KDHE, Bureau of Air and Radiation (BAR), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. Also a copy of the proposed permit only can be reviewed at the Johnson County Environmental Department, 11811 S. Sunset, Suite 2700, Olathe, Kansas 66061. To obtain or review the proposed permit and supporting documentation, contact Sergio Guerra, (785) 296-0365 at the central office of the KDHE and to review the proposed permit 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 proposed permit to Sergio Guerra, KDHE, BAR, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, (785) 296-0365. In order to be considered in formulating a final permit decision written comments must be received no later than the close of business on December 15, 2008.

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 Sharon Burrell, BAR, KDHE, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than the close of business on December 15, 2008 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 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 Patricia Scott, USEPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th Street, Kansas City, Kansas 66101, (913) 551-7312, 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