

Notice Concerning Proposed Reopening of a 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 reopening of an air quality operating permit. A Class I Air Operating Permit was issued for the operation of AFG Industries, Inc. located at 20400 North Webster Street, Spring Hill, Kansas 66083 which owns and operates a flat glass manufacturing facility. The effective date of the permit was May 21, 2003. K.A.R. 28-19-513(e)(2) states that only those parts of the permit for which cause to reopen exists shall be affected by the reopening.

The Class I operating permit issued to AFG Industries, Inc. is being reopened by KDHE for the purpose of incorporating the NSPS Subpart CC. This reopening is due in accordance with K.A. R. 28-19-513(e)(1)(D).

A copy of the proposed permit as modified, all supporting documentation and all information relied upon during the reopening 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 permit only can be reviewed at the Johnson County Environmental Department, 11811 South Sunset, Suite 2700, Olathe, Kansas 66061. To obtain or review the proposed reopening and supporting documentation, contact James Stewart, 785-296-1556 at the central office of the KDHE and to review the proposed permit only, contact Mike Boothe at the Johnson County Environmental Department, 913-715-6939. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to James Stewart, KDHE, BAR, 1000 SW Jackson, Suite 310, Topeka, Kansas 66612-1366, 785-296-1556. In order to be considered in formulating a final permit decision, written comments must be received no later than the close of business on January 15, 2007.

A person may request a public hearing be held on the proposed action. 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 Sherry Walker, BAR, KDHE, 1000 SW Jackson, Suite 310, Topeka, Kansas 66612-1366, no later than the close of business on January 15, 2007 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 start directly after the 30 day public comment 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 Jon Knodel, USEPA, Region VII, Air Permitting and Compliance Branch, 901 North 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