

**401 KAR 63:015. Flares.**

RELATES TO: KRS Chapter 224

STATUTORY AUTHORITY: KRS 224.10-100

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100 requires the Environmental and Public Protection Cabinet to prescribe administrative regulations for the prevention, abatement, and control of air pollution. This administrative regulation provides for the control of flares.

Section 1. Applicability. The provisions of this administrative regulation are applicable to each affected facility which means flares as defined in Section 2 of this administrative regulation.

Section 2. Definitions. Terms used in this administrative regulation not defined herein shall have the meaning given to them in 401 KAR 50:010.

(1) "Classification date" means April 9, 1972.

(2) "Flare" means a device at the tip of a stack or other opening used for the disposal of waste gas streams by combustion.

Section 3. Standard for Particulate matter. No person shall cause, suffer, or allow the emission into the open air of particulate matter from any flare which is greater than twenty (20) percent opacity for more than three (3) minutes in any one (1) day.

(401 KAR 063:015. 5 Ky.R. 512; 1064; eff. 6-6-1979; TAm eff. 8-9-2007; Crt eff. 9-12-2018; Crt eff. 8-28-2025.)