

401 KAR 65:001. Definitions for 401 KAR Chapter 65.

RELATES TO: KRS 224.1-010, 224.10-100, 224.20-100, 224.20-110, 224.20-120, 40 C.F.R. Part 50, Appendix J, Part 51, 42 U.S.C. 7410

STATUTORY AUTHORITY: KRS 224.10-100(5)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 224.10-100(5) requires the Environmental and Public Protection Cabinet to promulgate administrative regulations for the prevention, abatement, and control of air pollution. This administrative regulation defines the terms used in 401 KAR Chapter 65. The definitions contained in this administrative regulation, which have corresponding federal definitions, are not more stringent nor otherwise different than the corresponding federal definitions.

Section 1. Definitions.

- (1) "Air contaminant" is defined in KRS 224.1-010(1).
- (2) "Air pollutant" means air contaminant.
- (3) "Air pollution" is defined in KRS 224.1-010(3)
- (4) "Alternative method" means a method of sampling and analyzing for an air pollutant that is not a reference method or equivalent method, and has been demonstrated to the cabinet's and the U.S. EPA's satisfaction to produce adequate results for its determination of compliance.
- (5) "Ambient air" means that portion of the atmosphere, external to buildings, to which the general public has access.
- (6) "Ambient air quality standard" means a numerical expression of a specified concentration level for a particular air contaminant and the time averaging interval over which that concentration level is measured and is a goal to be achieved in a stated time through the application of appropriate preventive or control measures.
- (7) "AOAC" means Association of Official Analytical Chemists.
- (8) "ANSI" means American National Standards Institute.
- (9) "ASTM" means American Society for Testing and Materials.
- (10) "BOD" means biochemical oxidant demand.
- (11) "BTU" means British Thermal Unit.
- (12) "°C" means degree Celsius (centigrade).
- (13) "Cabinet" is defined in KRS 224.1-010(9).
- (14) "Cal" means calorie.
- (15) "cfm" means cubic feet per minute.
- (16) "CH₄" means methane.
- (17) "CO" means carbon monoxide.
- (18) "CO₂" means carbon dioxide.
- (19) "COD" means chemical oxidant demand.
- (20) "Director" means Director of the Division for Air Quality of the Environmental and Public Protection Cabinet.
- (21) "District" is defined in KRS 224.1-010(11).
- (22) "dscf" means dry cubic feet at standard conditions.
- (23) "dscm" means dry cubic meter at standard conditions.
- (24) "Equivalent method" means a method of sampling and analyzing for an air pollutant that has been demonstrated to the cabinet's and the U.S. EPA's satisfaction to have a consistent and quantitatively known relationship to the reference method, under specified conditions.
- (25) "Exempt compound" or "exempt solvent" means an organic compound listed in the definition of volatile organic compound as not participating in atmospheric photochemical reactions.

- (26) "Extreme nonattainment county" or "extreme nonattainment area" means a county or portion of a county designated extreme nonattainment for the one (1) hour national ambient air quality standard for ozone in 401 KAR 51:010.
- (27) "°F" means degree Fahrenheit.
- (28) "ft" means feet or foot.
- (29) "g" means gram.
- (30) "gal" means gallon.
- (31) "gr" means grain.
- (32) "HCl" means hydrochloric acid.
- (33) "Hg" means mercury.
- (34) "HF" means hydrogen fluoride.
- (35) "hr" means hour.
- (36) "Hydrocarbon" means an organic compound consisting predominantly of carbon and hydrogen.
- (37) "H₂O" means water.
- (38) "H₂S" means hydrogen sulfide.
- (39) "H₂SO₄" means sulfuric acid.
- (40) "in" means inch.
- (41) "J" means joule.
- (42) "Kg" means kilogram.
- (43) "l" means liter.
- (44) "lb" means pound.
- (45) "m" means meter.
- (46) "m³" means cubic meter.
- (47) "Marginal nonattainment county" or "marginal nonattainment area" means a county or portion of a county designated marginal nonattainment for the one (1) hour national ambient air quality standard for ozone in 401 KAR 51:010.
- (48) "µg" means microgram.
- (49) "mg" means milligram.
- (50) "min" means minute.
- (51) "MJ" means megajoules.
- (52) "mm" means millimeter.
- (53) "MM" means million.
- (54) "mo" means month.
- (55) "Moderate nonattainment county" or "moderate nonattainment area" means a county or portion of a county designated moderate nonattainment for the one (1) hour national ambient air quality standard for ozone in 401 KAR 51:010.
- (56) "Nitrogen oxides" means all oxides of nitrogen except nitrous oxide, as measured by test methods specified by the cabinet.
- (57) "NO" means nitric oxide.
- (58) "NO₂" means nitrogen dioxide.
- (59) "NO_x" means nitrogen oxides.
- (60) "O₂" means oxygen.
- (61) "O₃" means ozone.
- (62) "Opacity" means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.
- (63) "Opacity standard" means the maximum allowable opacity for a diesel vehicle during emission standard testing.
- (64) "oz" means ounce.

- (65) "Particulate matter" means a material, except uncombined water, that exists in a finely divided form as a liquid or a solid as measured by the appropriate approved test method.
- (66) "Particulate matter emissions" means, except as used in 40 C.F.R. Part 60, all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by applicable reference methods, or an equivalent or alternative method specified in 40 C.F.R. Chapter 1, or by a test method specified in the approved state implementation plan.
- (67) "Person" is defined in KRS 224.1-010(17).
- (68) "PM_{2.5}" means particulate matter with an aerodynamic diameter less than or equal to a nominal two-and-a-half (2.5) micrometers as measured by a reference method in 40 C.F.R. Part 50, Appendix L, and designated in accordance with 40 C.F.R. Part 53, or by an equivalent method designated in accordance with 40 C.F.R. Part 53.
- (69) "PM₁₀" means particulate matter with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers as measured by a reference method in 40 C.F.R. Part 50, Appendix J and designated in accordance with 40 C.F.R. Part 53, or by an equivalent method designated in accordance with 40 C.F.R. Part 53.
- (70) "PM₁₀ emissions" means finely divided solid or liquid material with an aerodynamic diameter less than or equal to a nominal ten (10) micrometers emitted to the ambient air as measured by an applicable reference method, or an equivalent or alternative method, specified in 40 C.F.R. Chapter I, or by a test method specified in the approved state implementation plan.
- (71) "ppb" means parts per billion.
- (72) "ppm" means parts per million.
- (73) "ppm(w/w)" means parts per million (weight by weight).
- (74) "psia" means pounds per square inch absolute.
- (75) "psig" means pounds per square inch gage.
- (76) "S" means at standard conditions.
- (77) "sec" means second.
- (78) "Serious nonattainment county" or "serious nonattainment area" means a county or portion of a county designated serious nonattainment for the one (1) hour national ambient air quality standard for ozone in 401 KAR 51:010.
- (79) "Severe nonattainment county" or "severe nonattainment area" means a county or portion of a county designated severe nonattainment for the one (1) hour national ambient air quality standard for ozone in 401 KAR 51:010.
- (80) "SO₂" means sulfur dioxide.
- (81) "sq" means square.
- (82) "Standard" means an emission standard, a standard of performance, or an ambient air quality standard promulgated in the administrative regulations of the Division for Air Quality or the emission control requirements necessary to comply with 401 KAR Chapter 51.
- (83) "Standard conditions" means:
- (a) For source measurements, twenty (20) degrees Celsius (sixty-eight (68) degrees Fahrenheit) and a pressure of 760 mm Hg (29.92 in. of Hg);
 - (b) For air quality determinations, twenty-five (25) degrees Celsius (seventy-seven (77) degrees Fahrenheit) and a reference pressure of 760 mm Hg (29.92 in. of Hg).
- (84) "State implementation plan" or "SIP" means the most recently prepared plan or revision required by 42 U.S.C. 7410 which has been approved by the U.S. EPA.
- (85) "TAPPI" means Technical Association of the Pulp and Paper Industry.
- (86) "Total suspended particulates" or "TSP" means particulate matter as measured by the method described in 40 C.F.R. Part 50, Appendix B.

(87) "tpy" means ton per year.

(88) "TSS" means total suspended solids.

(89) "Uncombined water" means water which can be separated from a compound by ordinary physical means and which is not bound to a compound by internal molecular forces.

(90) "Urban county" means a county which is a part of an urbanized area with a population greater than 200,000 based upon the 1980 census. If a portion of a county is a part of an urbanized area, then the entire county shall be classified as urban with respect to the administrative regulations of the Division for Air Quality.

(91) "Urbanized area" means an area defined as such by the U.S. Department of Commerce, Bureau of Census.

(92) "U.S. EPA" means United States Environmental Protection Agency.

(93) "UTM" means Universal Transverse Mercator.

(94) "Volatile organic compound" or "VOC" is defined in 40 C.F.R. 51.100(s).

(95) "yd" means yard.

(401 KAR 065:001. 20 Ky.R. 451; 1601; eff. 11-29-1993; 21 Ky.R. 1774; 2149; eff. 4-6-1995; 1707; 2027; eff. 6-6-1996; 25 Ky.R. 1458; 2855; eff. 6-9-1999; 27 Ky.R. 2879; eff. 8-15-2001; 33 Ky.R. 224; eff. 11-8-2006; TAm eff. 9-16-2013; Crt eff. 9-12-2018; Crt eff. 9-9-2025.)