Kansas Administrative Regulations

Department of Health and Environment

Article 19.—Ambient Air Quality Standards and Air Pollution Control—Standards for Hospital/Medical/Infectious Waste Incinerators.

28-19-729c. Standards for "hospital/medical/infectious waste incinerators"; compliance schedule.

(a) Except as otherwise provided in subsection (b) of this regulation, the owner or operator of each HMIWI subject to the emission limits in K.A.R. 28-19-729b shall comply with all of the applicable requirements of K.A.R. 28-19-729 through 28-19-729h on or before the date one year after the effective date of EPA's approval of the state's HMIWI plan.

(b) (1) The owner or operator of an HMIWI may petition the department for an extension to the compliance date specified in subsection (a) of this regulation. This petition shall be prepared in accordance with the provisions of subsection (c) of this regulation.

(2) The compliance date for each HMIWI for which a compliance date extension petition is approved shall be no later than September 15, 2002.

(c) Each petition for a compliance date extension shall be submitted to the department within 180 days after the effective date of EPA's approval of the state's HMIWI emission guidelines implementation plan, and shall include the following components:

(1) Documentation and analysis to support the need for an extension, including an evaluation of the option to transport the waste off-site to a commercial medical waste treatment and disposal facility on a temporary or permanent basis;

(2) submittal of an emissions control plan, describing the air pollution controls or process modifications, or both, that are to be used to comply with the emission limits in K.A.R. 28-19-729b;

(3) a compliance schedule, with dates, for the following steps:

(i) The awarding of contracts for air pollution control systems, process modifications, or orders for purchase of components;

(ii) the initiation of on-site construction or installation of air pollution control equipment, process modifications, or both;

(iii) the completion of on-site construction or installation of air pollution control equipment, process modifications, or both; and

(iv) the conduct of performance testing, and final compliance with the applicable requirements of K.A.R. 28-19-729b through 28-19-729h.

(d) The owner or operator of an HMIWI for which a timely and complete compliance date extension petition has been submitted to the department may continue to operate the HMIWI until the petition has been approved or disapproved, if the owner or operator adheres to the compliance schedule outlined in the submitted petition.

(Authorized by and implementing K.S.A. 1998 Supp. 65-3005; effective May 5, 2000.)

***** Authenticated Kansas Administrative Regulation *****