

Kansas Administrative Regulations

Department of Health and Environment

Article 31.—Hazardous Waste Management Standards and Regulations

28-31-267. Hazardous waste facilities operating under a standardized permit; adoption and modification of federal regulations.

(a) Adoption. The provisions of 40 CFR part 267, as in effect on July 1, 2006, are hereby adopted by reference subject to the following:

- (1) The substitution of terms listed in K.A.R. 28-31-100 through 28-31-100s;
- (2) the exclusions from adoption listed in subsection (b); and
- (3) the modifications listed in subsection (c).

(b) Exclusions. The following portions of 40 CFR part 267 shall be excluded from adoption:

- (1) All comments and all notes; and
- (2) 40 CFR 267.150.

(c) Modifications. The following modifications shall be made to 40 CFR part 267:

(1) Each occurrence of the following phrases shall be deleted:

- (A) ", as incorporated by reference in 40 CFR 260.11"; and
- (B) "(incorporated by reference, see 40 CFR 260.11)."

(2) In 40 CFR 267.12, the text "your state hazardous waste regulatory agency or from your EPA regional office" shall be replaced with "the department."

(3) In 40 CFR 267.112(d)(3), the phrase "under section 3008 of RCRA" shall be deleted.

(4) In 40 CFR 267.151(a) and (b), the text "[insert 'subpart H of 40 CFR part 267' or the citation to the corresponding state regulation]" shall be replaced with "K.A.R. 28-31-267."

(Authorized by K.S.A. 65-3431; implementing K.S.A. 65-3431 and 65-3443; effective April 29, 2011.)

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