Kansas Administrative Regulations

Department of Health and Environment

Article 29.—Solid Waste Management—Part 5. Solid Waste Management Plans.

28-29-77. The SWM plan.

(a) Each SWM committee shall establish an SWM plan that meets the requirements of K.S.A. 65-3405, and amendments thereto, and provides the following:

(1) Access for each person in the county or region to service providing for the disposal of all nonhazardous residential, commercial, and industrial solid waste; and

(2) a process for the orderly and systematic elimination of nuisances and pollution sources associated with the following solid waste management activities:

(A) Storage;

(B) collection;

(C) transportation;

(D) processing; and

(E) disposal.

(b) Each SWM committee shall include in the SWM plan information, if available, from federal, state, and local sources pertaining to the following topics:

(1) Present and projected population and densities;

(2) present and anticipated industries;

(3) utilities;

(4) solid waste collection, transportation, processing, and disposal facilities;

(5) present and anticipated land, air, and water usage;

(6) present and projected transportation patterns;

(7) present and projected sources of solid wastes;

(8) assessed property values and the ability to fund the SWM system;

(9) types of soil, geology, and hydrology;

(10) air pollution, sewage, water resources, and public water supply; and

(11) local and regional land-use and development plans.

(c) Each SWM committee shall include in the SWM plan all information required by K.S.A. 65-3405, and amendments thereto, and the following information:

(1) A description of all sources of solid waste within the county or region or coming into the county or region;

(2) an estimate of solid waste storage, collection, transportation, processing, and disposal requirements for the area covered by the SWM plan for the next 10 years;

(3) a description of the projected demands and obstacles that could be caused by the existing solid waste storage, collection, transportation, processing, and disposal system;

(4) a description of the selected SWM system, including the following:

(A) Collection, transportation, processing, storage, and disposal methods;

(B) locations for disposal sites or processing facilities, or both; and

(C) plans for management of the wastes listed in K.S.A. 65-3405, and amendments thereto, and the following wastes:

(i) Tires;

(ii) industrial wastes;

(iii) agricultural wastes;

(iv) abandoned automobiles; and

(v) other wastes that could require special handling, transportation, processing, or disposal;

(5) a description of options for development and implementation of recycling, composting, source reduction, and volume-based pricing in relationship to the selected SWM system;

(6) a 10-year timetable for the completion of all necessary steps required to implement the selected SWM system;

(7) a description of local provisions for regulation of storage, collection, transportation, disposal, and other SWM activities;

(8) a description of the responsibilities and actions required by each individual unit of government involved; and

(9) a method for financing each element of the selected SWM system based on cost estimates. Revenue financing, general obligation financing, and other financing methods may be analyzed individually or in combination.

(d) Each county that withdraws from a regional SWM plan shall prepare and submit to the department a new SWM plan meeting the requirements of K.S.A. 65-3405, and amendments thereto, and this regulation.

(1) The county shall submit the new SWM plan to the department on or before the date of the next annual review or the date by which the five-year update of the regional plan is required to be submitted to the department, whichever is first.

(2) The county shall be subject to the conditions of the regional SWM plan until the new SWM plan for the county is approved by the secretary.

(e) A copy of the SWM plan shall be maintained in each county participating in the plan in a place accessible to the public.

(Authorized by K.S.A. 65-3406; implementing K.S.A. 65-3405; effective Jan. 1, 1972; amended, E-79-22, Sept. 1, 1978; amended May 1, 1979; amended March 5, 2004.)

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