Kansas Administrative Regulations

Department of Health and Environment

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

28-29-78. Review and adoption of a new SWM plan.

(a) Each SWM committee shall develop a new SWM plan in accordance with the requirements of this regulation if any of the following occurs:

(1) The dissolution of a region;

(2) a change in the member counties of a region;

(3) the withdrawal from a region of a county that elects to plan individually;

(4) the formation of a new region; or

(5) the transfer of planning responsibility either to or from a designated city.

(b) The SWM committee shall submit the new SWM plan for review to each official land-use planning agency and each official comprehensive planning agency within the area covered by the new SWM plan. The SWM committee may revise the new SWM plan based on comments received from one or more planning agencies.

(c) The SWM committee shall submit the new SWM plan for adoption to the county commission of each county or to the governing body of the designated city participating in the plan. All supporting information required by K.S.A. 65-3405, and amendments thereto, and by K.A.R. 28-29-77, including planning agency reviews, shall be submitted with the new SWM plan.

(d) Before adopting the new SWM plan, the county commission or governing body of a designated city shall hold a minimum of one public hearing on the plan. A notice of the public hearing, which shall specify the place and time of the hearing, shall be published at least once in the official newspaper of each county participating in the plan. The hearing shall be held at least 15 days and not more than 30 days after publication of the notice.

(e) The county commission or governing body of a designated city shall inform the SWM committee of the adoption of the plan.

(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 *****