

Kansas Administrative Regulations

Department of Health and Environment

Article 29.—Solid Waste Management

28-29-333. Control of hazardous and explosive gases at C&D landfills; response, assessment monitoring, and corrective action.

The owner or operator of each C&D landfill shall comply with the following:

(a) Identification of potential problem. If the owner or operator observes or is informed of any indication of a release of landfill gas, the owner or operator shall perform the following:

- (1) Immediately assess the potential danger posed to human health and safety;
- (2) immediately take all the steps necessary to ensure protection of human health and safety;
- (3) notify the department of the observation or information within two business days; and
- (4) in consultation with the department, implement appropriate action to assess the concentrations of gas at the landfill.

(b) Action levels. The owner or operator shall comply with the requirements of subsection (c) if gas concentrations exceed any of the following levels:

- (1) For methane, either of the following:
 - (A) 25% of the LEL (1.25% by volume) in any building on the facility property; or
 - (B) 100% of the LEL (5% by volume) at the facility property boundary;
- (2) for hydrogen sulfide, either of the following:
 - (A) 1 ppm for on-site personnel; or
 - (B) 0.1 ppm in the ambient air at the facility boundary, based on a 15-minute time-weighted average measured when the wind speed is less than 15 mph; or
- (3) for any gas other than methane or hydrogen sulfide, a level that presents a risk to human health or safety equivalent to the levels listed in paragraphs (1) and (2) of this subsection.

(c) Response and assessment monitoring. If the concentration of any gas exceeds the levels specified in subsection (b), the owner or operator shall perform the following actions:

(1) If an exceedance is found at the facility boundary, immediately notify the local government's public health, environment, and emergency management offices;

(2) notify the department within one business day;

(3) within one week and in consultation with the department, develop a gas monitoring plan;

(4) upon approval of the secretary, implement the gas monitoring plan; and

(5) if gas monitoring has continued for one month and the frequency of the exceedances is not decreasing, take long-term corrective action according to the requirements of subsection (d).

(d) Corrective action. If long-term corrective action is required, the owner or operator shall perform the following actions:

(1) Develop and submit to the department a corrective action plan, including provisions for the installation of an active or passive gas management system. The owner or operator shall submit the plan within 60 calendar days of the date the conditions requiring corrective action were met; and

(2) upon approval of the secretary, implement the corrective action plan.

(Authorized by and implementing K.S.A. 65-3406; effective Dec. 28, 2012.)

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