

Kansas Administrative Regulations

Department of Health and Environment

Article 46.—Underground Injection Control Regulations

28-46-1. General requirements.

(a) Any reference in these regulations to standards, procedures, or requirements of 40 CFR Parts 124, 136, 144, 145, 146, or 261 shall constitute adoption by reference of the entire part, subpart, and paragraph so referenced, including any notes, charts, and appendices, unless otherwise specifically stated in these regulations, except for any references to NPDES, RCRA, PSD, ocean dumping permits, dredge and fill permits under section 404 of the clean water act, the non-attainment program under the clean air act, national emissions standards for hazardous pollutants(HESHAPS), EPA issued permits, and any internal CFR citations specific to those programs. Each reference to 40 CFR 146.04, 40 CFR 146.06, 40 CFR 146.07, and 40 CFR 146.08 shall mean 40 CFR 146.4, 40 CFR 146.6, 40 CFR 146.7, and 40 CFR 146.8, respectively.

(b) When used in any provision adopted from 40 CFR Parts 124, 136, 144, 145, 146, or 261, references to "the United States" shall mean the state of Kansas, "environmental protection agency" shall mean the Kansas department of health and environment, and "administrator," "regional administrator," "state director," and "director" shall mean the secretary of the department of health and environment.

(c) When existing Kansas statutory and regulatory requirements are more stringent than the regulations adopted in subsection (a), the Kansas requirements shall prevail. (Authorized by and implementing K.S.A. 2009 Supp. 65-171d; effective May 1, 1982; amended, T-86-47, Dec. 19, 1985; amended May 1, 1986; amended March 21, 1994; amended Aug. 6, 2010.)

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