Kansas Administrative Regulations

Department of Health and Environment

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

28-29-82. Revisions to the SWM plan.

(a) Each SWM committee shall revise the SWM plan if any of the following conditions is met:

(1) A waste management activity that is specifically required or precluded under the current SWM plan is proposed to be changed.

(2) Any of the following waste management activities has occurred:

(A) The availability of waste collection services within the planning area has been reduced or expanded for some or all waste generators.

(B) A solid waste facility that is subject to permitting requirements under K.S.A. 65-3407, and amendments thereto, has been added or eliminated.

(C) Non-permitted recycling services have been added or eliminated.

(3) One or more counties have been added to the plan.

(4) One or more counties have withdrawn from the plan.

(5) A change to the implementation schedule or financing methods specified in the SWM plan has occurred or will occur.

(6) Revisions are required as part of the five-year review to extend the planning horizon to 10 years.

(b) If the approved SWM plan does not meet the requirements of the solid waste management statutes or regulations, or both, a revision of the approved SWM plan may be required by the secretary. If a revision is required, written notice shall be provided by the secretary to each county commission, or the governing body of the designated city, covered by the SWM plan.

(c) Each revised SWM plan shall be reviewed by the official land-use planning agency and each official comprehensive planning agency within the area covered by the SWM plan.

(d) Each revised SWM plan shall be adopted according to the procedures specified in K.A.R. 28-29-78(b) and (d), except for regional SWM plans revised at unscheduled intervals, which shall be adopted in accordance with K.S.A. 65-3405 and amendments thereto. Adoption of the revised SWM plan by the county commission or commissions shall be conducted in an open meeting and shall provide an opportunity for public input.

(e) The county commission, the governing body of the designated city, or the SWM committee shall submit the revised SWM plan to the secretary for consideration for approval in accordance with K.A.R. 28-29-79.

(f) The county commission, or the governing body of the designated city, shall ensure that approved revisions of the SWM plan are incorporated in public copies of the plan maintained in accordance with K.A.R. 28-29-77.

(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 *****