

Kansas Administrative Regulations

Department of Health and Environment

Article 31.—Hazardous Waste Management Standards and Regulations

28-31-100s. Substitution of state terms for federal terms; state.

When used in any provision of 40 CFR part 124, parts 260 through 266, or part 268, 270, 273, or 279, as adopted by reference by K.A.R. 28-31-124 through 28-31-279, the following substitutions shall be made unless otherwise specified in K.A.R. 28-31-124 through 28-31-279:

(a) The following terms when used in the singular shall be replaced with "state of Kansas" or "the state of Kansas" except as noted in subsections (b) and (c):

- (1) "State" and "a State" when referring to a political entity;
- (2) "approved State" and "an approved State"; and
- (3) "authorized State" and "an authorized State."

(b) The term "State" shall not be replaced when used in the following terms in the singular or plural:

- (1) "Agreement State"; and
- (2) "[s]tate agency."

(c) The terms listed in subsection (a) shall not be replaced in the following locations:

- (1) 40 CFR 124.207(a)(3);
- (2) 40 CFR 260.10, in the following definitions:
 - (A) "Designated facility";
 - (B) "explosives or munitions emergency response specialist";
 - (C) "person";
 - (D) "publicly owned treatment works"; and
 - (E) "state";
- (3) 40 CFR part 261, in the following locations:
 - (A) 40 CFR 261.4(g)(2)(i); and
 - (B) 40 CFR 261.5;

- (4) 40 CFR part 262;
- (5) 40 CFR part 264, in the following locations:
 - (A) 40 CFR part 264, subparts C and D;
 - (B) 40 CFR 264.71(e); and
 - (C) 40 CFR part 264, subpart H;
- (6) 40 CFR part 265, in the following locations:
 - (A) 40 CFR part 265, subparts C and D;
 - (B) 40 CFR 265.71(e); and
 - (C) 40 CFR 265.147;
- (7) 40 CFR 266.210, in the following definitions:
 - (A) "Agreement state"; and
 - (B) "naturally occurring and/or accelerator-produced radioactive material (NARM)";
- (8) 40 CFR part 267, subparts C, D, and H;
- (9) 40 CFR part 270, in the following locations:
 - (A) 40 CFR 270.2, in the following definitions:
 - (i) "Approved program or approved state";
 - (ii) "director";
 - (iii) "final authorization";
 - (iv) "interim authorization";
 - (v) "person";
 - (vi) "POTW";
 - (vii) "state";
 - (viii) "state director"; and
 - (ix) "state/EPA agreement";
 - (B) 40 CFR 270.10(g)(1)(ii), where only the term "approved State" shall not be replaced;
 - (C) 40 CFR 270.11(a)(3); and (D) 40 CFR 270.13;
- (10) 40 CFR 273.14(c)(1)(iii); and
- (11) 40 CFR 279.24(a)(3).

(Authorized by and implementing K.S.A. 65-3431; effective April 29, 2011.)

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