

Kansas Administrative Regulations

Department of Health and Environment

Article 31.—Hazardous Waste Management Standards and Regulations

28-31-279. Used oil; adoption and modification of federal regulations.

(a) Adoption. The provisions of 40 CFR part 279, as in effect on July 1, 2006, are hereby adopted by reference subject to the following:

- (1) The substitution of terms listed in K.A.R. 28-31-100 through 28-31-100s;
- (2) the exclusions from adoption listed in subsection (b); and
- (3) the modifications listed in subsection (c).

(b) Exclusions. The following portions of 40 CFR part 279 shall be excluded from adoption:

- (1) All comments and all notes; and
- (2) 40 CFR 279.82.

(c) Modifications. The following modifications shall be made to 40 CFR part 279:

(1) In 40 CFR 279.10(a), the text "EPA presumes" shall be replaced with "EPA and the department presume."

(2) In 40 CFR 279.12(b), the text ", except when such activity takes place in one of the states listed in § 279.82(c)" shall be deleted.

(3) The text "and which has occurred after the effective date of the recycled used oil management program in effect in the State in which the release is located" shall be deleted in the following locations:

- (A) 40 CFR 279.22(d);
- (B) 40 CFR 279.45(h);
- (C) 40 CFR 279.54(g); and
- (D) 40 CFR 279.64(g).

(4) The parenthetical text in paragraph (b)(1) concerning the "RCRA/Superfund Hotline" and the sentence in paragraph (b)(2) concerning the "RCRA/Superfund Hotline" shall be deleted in the following sections:

(A) 40 CFR 279.42;

(B) 40 CFR 279.51; and

(C) 40 CFR 279.62.

(5) In 40 CFR 279.81(b), the phrase "parts 257 and 258 of this chapter" shall be replaced with "K.S.A. 65-3401 et seq. and article 29."

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

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