Kansas Administrative Regulations

Department of Health and Environment

Article 29.—Solid Waste Management—Part 7. Municipal Solid Waste Landfills.

28-29-100. Applicability.

(a) The provisions of K.A.R. 28-29-100 through K.A.R. 28-29-121 shall apply to all municipal landfills receiving waste on or after October 9, 1991. Facilities receiving waste after October 9, 1991, but that stop receiving waste before October 9, 1993 shall only be subject to the final cover requirements in K.A.R. 28-29-121.

(b) Each existing unit or lateral expansion receiving flood-related waste from federally-designated areas within the major disaster areas declared by the president during the summer of 1993 pursuant to 42 U.S.C. 5121 *et seq.*, shall be designated by the director of the division of environment in accordance with the following:

(1) If it is determined by the director of the division of environment that a unit is needed to receive flood-related waste from a federally-designated disaster area, as specified in this regulation, that unit may continue to accept waste prior to April 9, 1994 without being subject to the requirements of K.A.R. 28-29-100 through K.A.R. 28-29-121, except as provided in subsection (a) of this regulation.

(2) Any unit that receives an extension in accordance with paragraph (b)(1) of this regulation may continue to accept waste for a maximum of six additional months beyond April 9, 1994 without being subject to the requirements of K.A.R. 28-29-101 through K.A.R. 28-29-121, except as provided in subsection (a) of this regulation, if it is determined by the director of the division of environment that the unit is still needed to receive flood-related waste from a federally-designated disaster area as specified in this regulation.

(3) Any unit receiving an extension under paragraphs (b)(1) or (b)(2) of this regulation which accepts waste under any circumstances on or after October 9, 1994 shall be subject to K.A.R. 28-29-101 through K.A.R. 28-29-121.

(c) Any unit that meets the small landfill requirements of K.A.R. 28-29-103 may accept waste on or before October 9, 1997 without being subject to the requirements of K.A.R. 28-29-100 through K.A.R. 28-29-121, except as provided in subsection (a) of this regulation.

(d) Any portions of K.A.R. 28-29-101 through 28-29-121 which contain requirements different from those contained in K.A.R. 28-29-23 shall supersede the requirements of K.A.R. 28-29-23.

(Authorized by K.S.A. 1995 Supp. 65-3406; implementing K.S.A. 65-3401; effective Oct. 24, 1994; amended Dec. 13, 1996.)

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