Kansas Administrative Regulations

Department of Health and Environment

Article 19.—Ambient Air Quality Standards and Air Pollution Control—Standards for Hospital/Medical/Infectious Waste Incinerators.

28-19-729. Standards for "hospital/ medical/infectious waste incinerators.

" (a) Applicability. Except as otherwise provided in subsection (b) of this regulation, the requirements of the "hospital/medical/infectious waste incinerators" regulations, K.A.R. 28-19-729 through K.A.R. 28-19-729h, shall apply to each individual "hospital/medical/infectious waste incinerator," or "HMIWI," as defined in K.A.R. 28-19-729a, for which construction commenced on or before June 20, 1996.

(b) Exceptions.

(1) The requirements of K.A.R. 28-19-729 through 28-19-729h shall not apply to HMIWI during periods when the HMIWI is burning only pathological waste, low-level radioactive waste, or chemotherapeutic wastes, as defined in K.A.R. 28-19-729a, or any combination of only these waste types, under all of the following conditions:

(A) The owner or operator of the HMIWI notifies the department in writing of an exemption claim under this subsection.

(B) The owner or operator of the HMIWI keeps records, on a calendar quarter basis, of the times, including start and ending times, when only pathological, low-level radioactive, or chemotherapeutic wastes, or a combination of only these wastes, are burned.

(C) The owner or operator of the HMIWI maintains the records for agency inspections in accordance with the provisions of K.A.R. 28-19-729h.

(2) A co-fired combustor, as defined in K.A.R. 28-19-729a, shall not be subject to these regulations if the owner or operator of the combustor does the following:

(A) Notifies the department of the exemption claim;

(B) provides to the department an estimate of the relative weights of "hospital or medical/infectious wastes," fuels, and other wastes to be burned; and

(C) keeps records on a calendar quarter basis of the weight of the "hospital or medical/infectious wastes" and the weight of all other fuels and wastes burned in the device.

(3) Pyrolysis units, as defined in K.A.R. 28-19-729a, and cement kilns burning "hospital or medical/infectious wastes" shall not be subject to the requirements of these regulations.

(4) Incinerators, boilers, or industrial furnaces subject to the hazardous waste facility permitting requirements of section 3005 of the federal solid waste disposal act, 42 U.S.C. §6925, shall not be subject to these regulations.

(5) Incinerators subject to 40 C.F.R. Part 60, Subparts Cb, Ea, or Eb for municipal waste combustors shall not be subject to these HMIWI regulations.

(c) Incinerators subject to the requirements of K.A.R. 28-19-729 through 28-19-729h shall not be subject to the requirements of K.A.R. 28-19-40 through 28-19-43. (Authorized by K.S.A. 1998 Supp. 65-3005; implementing K.S.A. 1998 Supp. 65-3005, K.S.A. 1998 Supp. 65-3007, and K.S.A. 65-3010; effective May 5, 2000.)

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