

28-19-720. New source performance standards. (a) 40 C.F.R. part 60 and its appendices, as revised on July 1, 2005 and as amended by 70 fed. reg. 51268-51269 (2005) and 71 fed. reg. 33398-33400 (2006) 2008, are adopted by reference except for the following:

(1) The following sections in subpart A:

(A) 40 C.F.R. 60.4;

(2) (B) 40 C.F.R. 60.9;

(3) (C) 40 C.F.R. 60.10; and

(4) (D) 40 C.F.R. 60.16; and

(2) subpart B;

(3) the following mercury provisions in subpart Da:

(A) 60.45Da;

(B) in 60.48Da(c), the phrase "and the Hg emission standards under §60.45Da";

(C) 60.48Da(l);

(D) in 60.49Da(l), the phrase "or §60.45Da";

(E) 60.49Da(p), (q), and (r);

(F) 60.50Da(g) and (h);

(G) in 60.51Da(a), the phrase "and Hg emissions";

(H) 60.51Da(g);

(I) in 60.51Da(k), the phrase "and/or Hg"; and

(J) 60.52Da;

(4) the following provisions in subpart Ja:

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(A) 60.100a(c);

(B) in 60.101a, the definition of "flare";

(C) 60.102a(g); and

(D) 60.107a(d) and (e);

(5) in 60.2265 and 60.2875, the definitions of "commercial and industrial solid waste incineration (CISWI) unit," "commercial or industrial waste," and "solid waste";
and

(6) subpart HHHH.

(b) The definitions of "commercial and industrial solid waste incineration (CISWI) unit," "commercial or industrial waste," and "solid waste" in 40 C.F.R. 60.2265 and 40 C.F.R. 60.2875, as in effect on July 1, 2005, are adopted by reference.

(c) Unless the context clearly indicates otherwise, the following meanings shall be given to these terms as they appear in 40 C.F.R. part 60, as adopted by reference in subsection (a):

(1) The term "administrator" shall mean the secretary or the secretary's authorized representative.

(2) The term "United States environmental protection agency" and any term referring to the United States environmental protection agency shall mean the department.

(3) The term "state" shall mean the state of Kansas.

(e) (d) The owner or operator of each source that is subject to this regulation shall submit to the department any required annual reports specified in 40 C.F.R. part 60

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within 180 days of the last day of the year for which the report is required, unless the owner or operator is required in this article to submit annual reports on a different schedule. (Authorized by K.S.A. ~~2006~~ 2008 Supp. 65-3005, as amended by L. 2009, ch. 141, sec. 23; implementing K.S.A. 65-3008 and 65-3010; effective Jan. 23, 1995; amended June 6, 1997; amended June 11, 1999; amended Dec. 3, 2004; amended June 15, 2007; amended P-_____.)

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