

EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 041287

State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Waste Management (BWM), will conduct a public hearing at 1:30 p.m. Tuesday, April 2, in the Azure Conference Room, fourth floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of proposed new hazardous waste management regulation K.A.R. 28-31-260b and the adoption of amended hazardous waste management regulation K.A.R. 28-31-268. A summary of the proposed regulations, environmental benefit and estimated economic impact follows.

Summary of Regulations:

K.A.R. 28-31-260b. General provisions and definitions; adoption of technical documents. This regulation adopts technical documents that are cited in the federal hazardous waste regulations which the state has adopted by reference. Adoption of these technical documents is needed to maintain and update Kansas' authorization to administer the hazardous waste management program in lieu of the EPA.

K.A.R. 28-31-268. Land disposal restrictions; adoption and modification of federal regulations. The proposed amendment corrects an error in K.A.R. 28-31-268, which adopts 40 CFR Part 268, Land Disposal Restrictions, by reference. 40 CFR Part 268 sets standards for treatment of hazardous waste that is destined for disposal in a municipal solid waste landfill or a hazardous waste landfill.

Under federal regulations, land disposal restrictions (LDRs) apply to generators of more than 100 kg of hazardous waste each month, i.e., small quantity generators and large quantity generators. Kansas' most recent adoption of this regulation changed the generation limit to 25 kg per month, thus requiring that Kansas small quantity generators (KSQGs) also comply with all of the LDR reg-

ulations. The intent was that KSQGs only needed to comply with two sections of the LDRs.

It is important that this error be corrected before Kansas' authorization to administer the hazardous waste program is updated. If the EPA authorizes the regulation without the correction, the EPA could require KSQGs to comply with all of the LDR requirements in 40 CFR 268.

Environmental Benefit: The adoption by reference of technical documents in K.A.R. 28-31-260b and the corrections to K.A.R. 28-31-268 do not provide any environmental benefit.

Economic Impact: The adoption by reference of technical documents in K.A.R. 28-31-260b imposes no additional costs on the regulated community. The amendment to K.A.R. 28-31-268 reduces the potential regulatory burden and cost of compliance with this regulation for more than 600 KSQG facilities in Kansas. There will be no increase in costs to governmental agencies or the general public.

The time period between the publication of this notice and April 2 serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to 5 p.m. April 2 to Christine Mennicke, Kansas Department of Health and Environment, Bureau of Waste Management, 1000 S.W. Jackson, Suite 320, Topeka, 66612, by fax to 785-296-8909 or by email to cmennicke@kdheks.gov.

During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed regulations as well as an opportunity to submit their written comments. In order to give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to an appropriate timeframe.

Copies of the proposed regulations and the corresponding regulatory impact statement may be obtained on the BWM website at www.kdheks.gov/waste/ or by contacting Christine Mennicke at 785-296-0724 or cmennicke@kdheks.gov. Questions pertaining to the proposed regulations should be directed to Christine Mennicke.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and the corresponding regulatory impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Christine Mennicke.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 041281

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-289. 11441 Kisby's Pit Stop 25th anniversary promotion. (a) During the term of this promotion,