

2012 Kansas Statutes

65-3480. Regulation of PCB disposal facilities; definitions. When used in this act:

- (a) "Department" means the Kansas department of health and environment;
- (b) "disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any PCB into or on any water or land so that such substance or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater;
- (c) "facility" means all land, structures and other appurtenances and improvements on the land utilized for the purpose of treating, storing or disposing of PCB. A facility may consist of several treatment, storage or disposal operational units;
- (d) "generator" means any person, by site, whose act or process produces PCB or whose act first causes PCB to become subject to regulation;
- (e) "modification" means the expansion or enlargement of a facility beyond the boundaries established by an existing permit or any material or substantial alteration or addition to an existing permitted facility which would justify the application of permit conditions that would be materially or substantially different from the conditions of the existing permit or are absent from the existing permit;
- (f) "off-site facility" means a facility where treatment, storage or disposal activities are conducted by a person other than the PCB generator;
- (g) "on-site facility" means a facility which is owned and operated by the generator for the treatment, storage or disposal of PCB which have been generated on the property on which such facility is located and which may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection and access is by crossing and not going along the right-of-way or noncontiguous properties owned by the same person;
- (h) "permit" means the document issued to a person by the secretary which allows such person to construct and operate a PCB treatment, storage or disposal facility in the state;
- (i) "person" means an individual, trust, firm, joint stock company, federal agency, corporation, including a government corporation, partnership, state, municipality, commission, political subdivision of a state or any interstate body;
- (j) "polychlorinated biphenyls" or "PCB" means any chemical substance that is limited to the biphenyl molecule which has been chlorinated to varying degrees or any combination of any chemical substance which contains the biphenyl molecule at concentrations as established by the secretary;
- (k) "PCB disposal facility" means any off-site facility used to treat, store or dispose of PCB, including any such facility which handles or stores PCB under contract prior to disposal;
- (l) "secretary" means the secretary of the department of health and environment;
- (m) "storage" means the holding of PCB except for a temporary period at the end of which such substance is treated or disposed of elsewhere;
- (n) "transporter" means any person who is engaged in the off-site transportation of PCB by air, rail, land, highway, pipeline or water;
- (o) "treatment" means any method, technique or process, including incineration or neutralization, designed to change the physical, chemical or biological character or composition of any PCB so as to neutralize such substance or so as to recover energy or material resources from the PCB, to render such substance nontoxic or less toxic, safer to transport, store or dispose of, amenable for recovery, amenable for storage or reduced in volume.

History: L. 1986, ch. 226, § 1; L. 1992, ch. 192, § 8; July 1.