

HOUSE BILL No. 2665

By Representative Brown

2-8

1 AN ACT concerning disposal of paint and paint related waste.

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3 *Be it enacted by the Legislature of the State of Kansas:*

4 Section 1. (a) The secretary of health and environment shall study and
5 investigate the possibility of creating an alternate set of management
6 standards in lieu of the existing standards contained in rules and
7 regulations regarding paint and paint related waste intended for recycling.
8 The investigation shall:

9 (1) Examine and review similar programs for managing paint and
10 paint related waste in other states in which such paint and paint related
11 waste are treated as universal waste under the environmental protection
12 agency's universal waste rule established pursuant to 40 C.F.R. part 273.

13 (2) On or before January 1, 2013, file a petition with the
14 environmental protection agency pursuant to 40 C.F.R. §§ 273.80 and
15 273.81 requesting that the handling, transportation and management of
16 paint and paint related waste which is intended for recycling be treated as
17 and included in this state's rules and regulations regarding the handling,
18 transportation and management of universal waste.

19 (3) Gather data, hold public hearings, make inquiries and publish
20 studies relating to the purpose of this act.

21 (4) Report to the president of the senate and the speaker of the house
22 of representatives by February 1, 2013, and February 1 of each year
23 thereafter, regarding the status of the investigation required by this section
24 and the secretary's recommendations regarding the implementation of a
25 program establishing an alternate set of management standards in lieu of
26 the existing standards contained in rules and regulations regarding paint
27 and paint related waste intended for recycling.

28 (b) For the purposes of this section:

29 (1) "Paint and paint related waste" means used or unused paint and
30 paint-related material which is "hazardous waste" as defined under rules
31 and regulations of the secretary as determined in chapter 31 of article 28 of
32 the Kansas administrative regulations and which is any mixture of pigment
33 and a suitable liquid which forms a closely adherent coating when spread
34 on a surface or any material which results from painting activities.

35 (2) "Secretary" means the secretary of health and environment.

36 Sec. 2. This act shall take effect and be in force from and after its

- 1 publication in the statute book.