



# Kansas Register

Kris W. Kobach, Secretary of State

Vol. 31, No. 50

December 13, 2012

Pages 1497-1514

In this issue . . .	Page
<b>Legislative interim committee schedule</b> .....	1498
<b>Criminal Justice Coordinating Council</b>	
Notice of meeting .....	1499
<b>Kansas Water Authority</b>	
Notice of meeting .....	1499
<b>Department for Children and Families</b>	
Notice concerning TANF annual report .....	1499
<b>Department of Administration—Office of Facilities and Property Management</b>	
Notice of hearing on construction management at-risk services.....	1499
Notice of requested engineering services .....	1499
Notice of requested ancillary technical services .....	1500
Notice of annual statement of qualifications for architectural, engineering and land surveying firms.....	1500
Notice of annual statement of qualifications for contractors .....	1500
<b>North Central Regional Planning Commission</b>	
Request for proposals .....	1501
<b>Kansas Board of Regents Universities</b>	
Notice to bidders.....	1501
<b>Department of Administration—Procurement and Contracts</b>	
Notice to bidders for state purchases .....	1501
<b>Pooled Money Investment Board</b>	
Notice of investment rates.....	1502
<b>Department of Health and Environment</b>	
Notice concerning water pollution control permits/applications .....	1502
Requests for comments on proposed air quality permits.....	1504
Notice of hearing on proposed administrative regulations .....	1505
<b>Department of Administration—Office of Management Analysis and Standards</b>	
Public notice.....	1506
<b>Secretary of State</b>	
Executive appointments .....	1506
Notice of corporations forfeited.....	1506
<b>Permanent Administrative Regulations</b>	
Department of Health and Environment.....	1507
<b>Index to administrative regulations</b> .....	1511

## State of Kansas

## Legislature

## Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet during the period of December 13-20, based on current information and subject to change. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at 785-296-2391 or TTY 711, or email [LegServ@las.ks.gov](mailto:LegServ@las.ks.gov).

Date	Room	Time	Committee	Agenda
Dec. 13	144-S	9:00 a.m.	Legislative Post Audit	NCLB waiver/common core standards cost study; statewide IT security audit; a variety of contracted audits; annual holiday luncheon.
Dec. 18	546-S	10:00 a.m.	Legislative Educational Planning Committee	Presentation of Board of Regents legislative initiatives; Valley Center students presenting spaceflight experiments; update on Kansas Educator Evaluation Protocol (KEEP); Oklahoma legislator presenting information on scholarship for students with disabilities; Kansas Policy Institute presentations; bill introductions for 2013 legislative session.
Dec. 19	548-S	10:00 a.m.	Joint Committee on Health Policy Oversight	Review of daycare law; update on impact of Lexie's Law.
Dec. 20	548-S	9:00 a.m.	Joint Committee on Health Policy Oversight	KanCare update.

Jeffrey M. Russell  
Director of Legislative  
Administrative Services

Doc. No. 041158

The Kansas Register (USPS 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly and a cumulative index is published annually by the Kansas Secretary of State. One-year subscriptions are \$80 (Kansas residents must include applicable state and local sales tax). Single copies, if available, may be purchased for \$2. **Periodicals postage paid at Topeka, Kansas. POSTMASTER:** Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

© Kansas Secretary of State 2012. Reproduction of the publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

Hard copy subscription information and current and back issues of the Kansas Register (PDF format) can be found at the following link: [http://www.sos.ks.gov/pubs/pubs\\_kansas\\_register.asp](http://www.sos.ks.gov/pubs/pubs_kansas_register.asp)

**Published by**  
Kris W. Kobach  
Secretary of State  
1st Floor, Memorial Hall  
120 S.W. 10th Ave.  
Topeka, KS 66612-1594  
785-296-4564  
[www.sos.ks.gov](http://www.sos.ks.gov)



**Register Office:**  
1st Floor, Memorial Hall  
785-296-3489  
Fax 785-296-8577  
[kansasregister@sos.ks.gov](mailto:kansasregister@sos.ks.gov)

**State of Kansas**  
**Criminal Justice Coordinating Council**

**Notice of Meeting**

The Kansas Criminal Justice Coordinating Council will meet at 11:30 a.m. Tuesday, December 18, in Room 106 of the Landon State Office Building, 900 S.W. Jackson, Topeka.

Jennifer Cook, Administrator  
 Governor's Grants Program

Doc. No. 041153

**State of Kansas**  
**Kansas Water Authority**

**Notice of Meeting**

The Kansas Water Authority will conduct a special meeting by conference call or in person at 10 a.m. Wednesday, December 19, in the Kansas Water Office's conference room, 901 S. Kansas Ave., Topeka. The meeting is to discuss any possible 2013 legislation. The public can request information or conference call instructions by contacting Katie Ingels, KWO communications director, at 785-296-3185 or katie.ingels@kwo.ks.gov.

Gary Harshberger  
 Chairman

Doc. No. 041157

**State of Kansas**  
**Department for Children and Families**

**Public Notice**

The state of Kansas will submit by December 31 an updated annual report for administration of the block grant to states for Temporary Assistance for Needy Families (TANF). TANF provides assistance to needy families with children and provides parents with job preparation, work and support services to enable them to leave the program and become self-sufficient.

Federal law requires that a specified percentage of recipients of TANF be engaged in work or work activities. In determining if a state meets its minimum participation requirement, a state is allowed a credit for reducing the size of its TANF caseload.

The Department for Children and Families has prepared a report on its caseload reduction estimates and the methodology used to arrive at the estimates. Copies of this report, the state plan and annual report are available by contacting the Department for Children and Families at 785-296-2968. Comments should be sent by December 21 to Judy Kennedy, Department for Children and Families, Suite 580, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Comments also may be faxed to 785-296-6960 or emailed to Judy.Kennedy@dcf.ks.gov.

Phyllis Gilmore  
 Secretary for Children and Families

Doc. No. 041149

**State of Kansas**  
**Department of Administration**  
**Office of Facilities and Property Management**

**Notice of Hearing on Construction  
 Management At-Risk Services**

Pursuant to K.S.A. 75-37,143(d), the State Building Advisory Commission will conduct a public hearing at 1:30 p.m. Wednesday, January 9, in Room 106, Landon State Office Building, 900 SW Jackson, Topeka. The purpose of the hearing is for the public to have an opportunity to comment on a request from Kansas State University for construction management at-risk services for the Durland-Rathbone-Fiedler Complex (Engineering Complex — Phase 4) project in Manhattan. The estimated project cost is \$30,000,000. The project schedule calls for completion and use by the fall 2015 semester.

Mark J. McGivern, Director  
 Office of Facilities and  
 Property Management

Doc. No. 041161

**State of Kansas**  
**Department of Administration**  
**Office of Facilities and Property Management**

**Notice of Requested "On-Call" Engineering Services**

Notice is hereby given of the commencement of the selection process for "on-call" civil engineering services for small projects at Pittsburg State University. Two firms will be selected. Contracts will be for three years.

For more information contact Paul Stewart at 620-235-4130. Firms interested in providing these services should be familiar with the requirements, which can be found in Part B — Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file and one (1) bound proposal of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end. Please include your firm name, the agency abbreviation and an abbreviated project name in the title of the PDF document. Proposals should be less than 5MB and follow the current State Building Advisory Commission guidelines, which can be found in Part B — Chapter 2 of the Building Design and Construction Manual at [www.da.ks.gov/fp/manual.htm](http://www.da.ks.gov/fp/manual.htm). Proposals should be sent to Barbara Schilling, Office of Facilities and Property Management, Suite 700, 800 SW Jackson, Topeka, 66612-1216. If you have questions call 785-291-3695 or e-mail Barb.Schilling@da.ks.gov. Both the PDF and bound proposal submittals shall be delivered to the attention of Barbara Schilling before noon December 28.

Mark J. McGivern, Director  
 Office of Facilities and  
 Property Management

Doc. No. 041154

## State of Kansas

**Department of Administration  
Office of Facilities and Property Management**

**Notice of Requested Ancillary Technical Services**

Notice is hereby given of the commencement of negotiations for the 12-month period of January 1, 2013 to December 31, 2013. The following services include but are not limited to:

- Land surveying, geotechnical investigation;
- Materials testing services including but not limited to roofing and hazardous materials, concrete, spray-on fire resistive materials and welding;
- Inspection services including but not limited to air and water balancing, roofing, concrete, asphalt and welding; or
- Commissioning of mechanical and electrical systems.

Interested firms are not required to provide all the services described, but should indicate on the form the services they can provide.

If your firm is interested in providing any services listed on state of Kansas projects throughout the upcoming year, complete the most current version of Form 050 State of Kansas Professional Qualifications (SOQ), available at [www.da.ks.gov/fp/](http://www.da.ks.gov/fp/), and submit it in PDF format to Barbara Schilling at [barb.schilling@da.ks.gov](mailto:barb.schilling@da.ks.gov). The PDF document title should include the name of the firm submitting the SOQ. Any questions should be directed to Barbara Schilling at 785-291-3695 or by e-mail. Submissions are due by January 18.

It is the intention of the Office of Facilities and Property Management to pre-approve a separate group of qualifying firms for each classification listed above and award projects on a rotational basis. If a firm anticipates being limited to specific-sized projects, by dollar volume or locations in the state, that information also should be supplied with the response.

Mark J. McGivern, Director  
Office of Facilities and  
Property Management

Doc. No. 041152

## State of Kansas

**Department of Administration  
Office of Facilities and Property Management**

**Notice of Annual Statement of Qualifications for  
Architectural, Engineering and Land Surveying Firms**

Pursuant to K.S.A. 75-1252, as amended, "in the procurement of architectural, engineering or land surveying services, the secretary of administration shall encourage firms engaged in the lawful practice of their profession to submit to the secretary and to the state building advisory commission annually a statement of qualifications and performance data."

By statutory definition, "firm" means such individual, firm, partnership, corporation, association, or other legal entity that is permitted by law to practice the profession of architecture, engineering or land surveying in accordance with Kansas Board of Technical Professions.

If your firm is interested in providing architectural, engineering or land surveying services on state of Kansas projects throughout the upcoming year, complete the most current version of Form 050 State of Kansas Professional Qualifications (SOQ), available at [www.da.ks.gov/fp/](http://www.da.ks.gov/fp/), and submit it in PDF format to Barbara Schilling at [barb.schilling@da.ks.gov](mailto:barb.schilling@da.ks.gov). The PDF document title should include the name of the firm submitting the SOQ. Further information may be found at <http://www.da.ks.gov/fp/manual.htm>, Part B Chapter 2 - Procurement of Architectural, Engineering and Land Surveying Services. Any questions should be directed to Barbara Schilling at 785-291-3695 or by e-mail. Submissions are due by January 18.

Submittals will be on file with the office for use by the State Building Advisory Commission and the secretary of administration.

Mark J. McGivern, Director  
Office of Facilities and  
Property Management

Doc. No. 041150

## State of Kansas

**Department of Administration  
Office of Facilities and Property Management**

**Notice of Annual Statement of  
Qualifications for Contractors**

Pursuant to K.S.A. 75-37,143, to assist in the procurement of alternative project delivery (construction management at-risk and design-build) construction services, the secretary of administration shall encourage firms engaged in the performance of construction services to submit annually to the secretary and to the state building advisory commission a statement of qualifications and performance data. Each statement shall include data relating to the following:

- (1) The firm's capacity and experience, including experience on similar or related projects; and
- (2) the capabilities and other qualifications of the firm's personnel.

If your firm is interested in providing construction management at-risk or design-build services on state of Kansas projects throughout the upcoming year, complete the most current version of Form 050 State of Kansas Professional Qualifications (SOQ), available at [www.da.ks.gov/fp/](http://www.da.ks.gov/fp/), and submit it in PDF format to Barbara Schilling at [barb.schilling@da.ks.gov](mailto:barb.schilling@da.ks.gov). The PDF document title should include the name of the firm submitting the SOQ. Further information may be found at <http://www.da.ks.gov/fp/manual.htm>, Part B Chapter 7 - Procurement of Alternative Project Delivery Building Construction. Any questions should be directed to Barbara Schilling at 785-291-3695 or by e-mail. Submissions are due by January 25.

Submittals will be on file with the office for use by the State Building Advisory Commission and the secretary of administration.

Mark J. McGivern, Director  
Office of Facilities and  
Property Management

Doc. No. 041151

(Published in the Kansas Register December 13, 2012.)

## North Central Regional Planning Commission

### Request for Proposals

Turnkey bid proposals for one (1) Mobile Hospital/Alternate Care Site Trailer, complete with accessories, medical equipment and supplies, will be accepted by the North Central Regional Planning Commission, 109 N. Mill St., Beloit, 67420, until 3 p.m. Friday, January 18, at which time they will be publicly opened and read aloud at the same address. Copies of Instructions to Bidders and project specifications can be accessed by going to [www.procurement.ncrpc.org/HS/projects.html](http://www.procurement.ncrpc.org/HS/projects.html) or by contacting the NCRPC at 785-738-2218 or [jcyr@nckcn.com](mailto:jcyr@nckcn.com). This action is being taken on behalf of the South Central Kansas Regional Homeland Security Council. The estimated project value exceeds \$50,000.

John R. Cyr  
Special Project Coordinator

Doc. No. 041163

## State of Kansas

### Board of Regents Universities

#### Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

**Emporia State University** – Bid postings: [www.emporia.edu/busaff/](http://www.emporia.edu/busaff/). Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: [thouse@emporia.edu](mailto:thouse@emporia.edu). Mailing address: Emporia State University, Controller's Office/Purchasing, Campus Box 4021, 1200 Commercial, Emporia, KS 66801.

**Fort Hays State University** – Bid postings: [www.fhsu.edu/purchasing/bids](http://www.fhsu.edu/purchasing/bids). Additional contact info: phone: 785-628-4251, fax: 785-628-4046, email: [purchasing@fhsu.edu](mailto:purchasing@fhsu.edu). Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

**Kansas State University** – Bid postings: [www.k-state.edu/purchasing/rfq](http://www.k-state.edu/purchasing/rfq). Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: [kspurch@k-state.edu](mailto:kspurch@k-state.edu). Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

**Pittsburg State University** – Bid postings: [www.pittstate.edu/office/purchasing](http://www.pittstate.edu/office/purchasing). Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: [jensch@pittstate.edu](mailto:jensch@pittstate.edu). Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

**University of Kansas** – Electronic bid postings: <http://www.purchasing.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 30, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: [purchasing@ku.edu](mailto:purchasing@ku.edu).

**University of Kansas Medical Center** – Bid postings: <http://www2.kumc.edu/finance/purchasing/bids.html>. Additional contact info: phone: 913-588-1100, fax: 913-588-1102. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

**Wichita State University** – Bid postings: [www.wichita.edu/purchasing](http://www.wichita.edu/purchasing). Additional contact info: phone: 316-978-3080, fax: 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Jim Hughes  
Chair of Regents Purchasing Group  
Director of Purchasing  
Pittsburg State University

Doc. No. 040656

## State of Kansas

### Department of Administration Procurement and Contracts

#### Notice to Bidders

Sealed bids for items listed will be received by the director of Procurement and Contracts until 2 p.m. on the date indicated. For more information call 785-296-2376:

**Please Note:** Procurement and Contracts has moved and now receives all bidding documents in its new location at 800 S.W. Jackson, Suite 600, Topeka, 66612.

12/27/2012	EVT0001895	Compact Track Loader & Attachments
01/03/2013	EVT0001904	Air Compressors, Stationary, Rotary Screws
01/03/2013	EVT0001906	Construct Water Line at Meade Fish Hatchery
01/04/2013	EVT0001880	Banking Services
01/10/2013	EVT0001885	Kansas Byways Bicycle and Pedestrian Plan
01/16/2013	EVT0001846	Evaluation of Wetland Restoration Projects in Kansas

The above-referenced bid documents can be downloaded at the following website:

<http://www.da.ks.gov/purch/contracts/bids.aspx>

Additional files may be located at the following website (please monitor this website on a regular basis for any changes/addenda):

<http://da.ks.gov/purch/adds/default.htm>

01/08/2013	A-012052	Security Improvements — Maple Cottage — Parsons State Hospital and Training Center — Kansas Dept. for Aging and Disability Services, Topeka
01/10/2013	A-012128	Metal Roof Retrofit — Commons Bldg. — Larned Correctional Mental Health Facility, Larned

Information regarding prequalification, projects and bid documents can be obtained at 785-296-8899 or <http://da.ks.gov/fp/>.

Tracy T. Diel, Director  
Procurement and Contracts

Doc. No. 041162

**State of Kansas  
Pooled Money Investment Board**

**Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 2011 Supp. 12-1675(b)(c)(d) and K.S.A. 2011 Supp. 12-1675a(g).

**Effective 12-10-12 through 12-16-12**

Term	Rate
1-89 days	0.16%
3 months	0.08%
6 months	0.14%
1 year	0.20%
18 months	0.22%
2 years	0.25%

Scott Miller  
Director of Investments

Doc. No. 041145

**State of Kansas  
Department of Health  
and Environment**

**Notice Concerning Kansas/Federal Water  
Pollution Control Permits and Applications**

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

**Public Notice No. KS-AG-12-357/362**

**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Midway Feeders LLC Mike Berggren P.O. Box 99 Oakley, KS 67748	SE/4 of Section 29, T10S, R32W, Thomas County	Saline River Basin

Kansas Permit No. A-SATH-C001      Federal Permit No. KS0115339

This is a permit modification and reissuance for an existing facility with the maximum capacity of 1,800 head (1,800 animal units) of cattle weighing greater than 700 pounds. The facility consists of approximately 15 acres of open lot pens, feed storage area and associated feedlot areas. Surface runoff is collected and stored in an earthen

retention structure. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
KM Feeders Kendall Martens 2240 Ave. P Lyons, KS 67554	NW/4 of Section 22, T20S, R07W, Rice County	Lower Arkansas River Basin

Kansas Permit No. A-ARRC-C001      Federal Permit No. KS0080730

This is a permit modification for an existing facility with the maximum capacity for 6,000 head (6,000 animal units) of cattle weighing greater than 700 pounds. This permit is being modified based on the proposed construction of a diversion channel to control surface runoff from the horse arena. As a result, the facility description and required operating levels for the south retention structure have been adjusted. The Schedule of Compliance includes a timeframe for construction completion. Only the portions of the permit being modified are subject to comment.

Name and Address of Applicant	Legal Description	Receiving Water
Rose Pork, Inc. Mr. Rodney Rose 7-125C F Road Cawker City, KS 67430	W/2 of Section 08, T05S, R09W, Jewell County	Solomon River Basin

Kansas Permit No. A-SOJW-S022

This permit is being reissued for a maximum capacity of 2,215 head (850 animal units) of swine more than 55 pounds and 1,300 head (130 animal units) of swine 55 pounds or less, for a total of 3,425 head (980 animal units) of swine. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Decker Farms & Feedyard Jason Decker 9991 W, Road 215 Scott City, KS 67871	SE/4 of Section 17, T17S, R34W, Scott County	Smoky Hill River Basin

Kansas Permit No. A-SHSC-B005

This permit is being reissued for an existing facility for 200 head (200 animal units) of cattle weighing more than 700 pounds and 150 head (75 animal units) of cattle weighing less than 700 pounds, for a total of 350 head (275 animal units) of cattle. This represents a decrease in the permitted capacity from the previous permitted capacity of 200 head (200 animal units) of cattle weighing more than 700 pounds and 300 head (150 animal units) of cattle weighing 700 pounds or less.

Name and Address of Applicant	Legal Description	Receiving Water
John M. Blocker 13310 E. Pleasant Valley Road Haven, KS 67543	NE/4 of Section 04, T26S, R04W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-B001

This permit is being reissued for an existing beef facility for 200 head (200 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Hiebert Dairy Kevin Hiebert 960 160th Hillsboro, KS 67063	SE/4 of Section 16, T20S, R02E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-M014

This permit is being reissued for an existing facility with a maximum capacity of 45 head (63 animal units) of mature dairy cattle, 15 head (15 animal units) of dairy heifers and 20 head (10 animal units) of dairy calves, for a total of 80 head (88 animal units) of dairy cattle. This represents an increase in animal units from the previous permit.

**Public Notice No. KS-Q-12-196/199**

The requirements of the draft permits public noticed

below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria:

Name and Address of Applicant	Receiving Stream	Type of Discharge
Higginbotham Farm 15913 Dragoon Creek Road Eskridge, KS 66423	Dragoon Creek via Unnamed Tributary	Pit Dewatering & Stormwater Runoff
Kansas Permit No. I-MC09-PO02		Federal Permit No. KS0100293
Legal Description: SW <sup>1</sup> / <sub>4</sub> , S23, T14S, R12E, Wabaunsee County, KS		
Facility Name: Eskridge Site		

The proposed action consists of issuing a new permit for discharge of wastewater during quarry operations. This permittee strip mines slab rock used in landscaping lawns, retaining walls and other purposes. Outfall 001A1 consists of stormwater runoff. The proposed permit contains generic water-quality language to protect waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Lansing, City of 800 First Terrace Lansing, KS 66043	Seven Mile Creek via Nine Mile Creek	Treated Domestic Wastewater
Kansas Permit No. M-MO11-0002		Federal Permit No. KS0081647
Legal Description: E <sup>1</sup> / <sub>2</sub> , NE <sup>1</sup> / <sub>4</sub> , NE <sup>1</sup> / <sub>4</sub> , S19, T9S, R23E, Leavenworth County, KS		

The proposed action is to reissue an existing permit for the operation of an existing mechanical wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, whole effluent toxicity and pH, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, priority pollutants and effluent flow.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Oneida, City of P.O. Box 184 Oneida, KS 66522	South Fork Nemaha River via Harris Creek	Treated Domestic Wastewater
Kansas Permit No. M-MO15-0001		Federal Permit No. KS0093467
Legal Description: NW <sup>1</sup> / <sub>4</sub> , NW <sup>1</sup> / <sub>4</sub> , SW <sup>1</sup> / <sub>4</sub> , S23, T2S, R13E, Nemaha County, KS		

The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, total phosphorus and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Wilsey, City of 209 Lyndon St. Wilsey, KS 66873	Elm Creek via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. M-NE69-0001		Federal Permit No. KS0089907
Legal Description: NW <sup>1</sup> / <sub>4</sub> , NE <sup>1</sup> / <sub>4</sub> , SW <sup>1</sup> / <sub>4</sub> & SW <sup>1</sup> / <sub>4</sub> , SE <sup>1</sup> / <sub>4</sub> , NW <sup>1</sup> / <sub>4</sub> , S28, T16S, R7E, Morris County, KS		

The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli and pH.

**Public Notice No. KS-NQ-12-024/025**

The requirements of the draft permits public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g):

Name and Address of Applicant	Legal Location	Type of Discharge
Kiowa, City of P.O. Box 228 Kiowa, KS 67070	W <sup>1</sup> / <sub>2</sub> , NE <sup>1</sup> / <sub>4</sub> , NE <sup>1</sup> / <sub>4</sub> , S14, T35S, R11W	Nonoverflowing

Kansas Permit No. M-AR53-NO01 Federal Tracking No. KSJ000458  
This action consists of reissuing an existing Kansas Water Pollution Control Permit for an existing nonoverflowing lagoon treatment facility. The proposed permit contains requirements for monitoring biochemical oxygen demand, total suspended solids, ammonia, E. coli, total phosphorus, pH, flow and water level in the irrigation system from the final cell.

Name and Address of Applicant	Legal Location	Type of Discharge
Manter, City of P.O. Box 98 Manter, KS 67862	SE <sup>1</sup> / <sub>4</sub> , SE <sup>1</sup> / <sub>4</sub> , NE <sup>1</sup> / <sub>4</sub> , S14, T29S, R42W, Stanton County, KS	Nonoverflowing

Kansas Permit No. M-CI11-NO01 Federal Tracking No. KSJ000410  
This action consists of reissuing an existing Kansas Water Pollution Control Permit for an existing nonoverflowing lagoon treatment facility. Contained in the permit is a schedule of compliance requiring the permittee to obtain a KDHE-certified wastewater operator.

Persons wishing to comment on the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft documents or application notices received on or before January 12 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-12-357/362, KS-Q-12-196/199) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the secretary of health and environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

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

Doc. No. 041148

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Southern Star Central Gas Pipeline, Inc. — Americus Compressor Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Southern Star Central Gas Pipeline, Inc., P.O. Box 20010, Owensboro, KY 42304, owns and operates the Americus Compressor Station, a natural gas compressor station located at Section 22, Township 18S, Range 10E, Lyon County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka. Also, a copy of the proposed permit can be reviewed at the KDHE Southeast District Office, 1500 W. 7th St., Chanute. To obtain or review the proposed permit and supporting documentation, contact Ashley Eichman, 785-296-1713, at the KDHE central office, and to review the proposed permit only, contact Doug Cole, 620-431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Ashley Eichman, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business January 14.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cindy Moon, KDHE, Bureau of Air, not later than the close of business January 14 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the 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, 66212, 913-551-7312, 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. 041159

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Southern Star Central Gas Pipeline, Inc. — Tonganoxie Compressor Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Southern Star Central Gas Pipeline, Inc., P.O. Box 20010, Owensboro, KY 42304, owns and operates the Tonganoxie Compressor Station, a natural gas compressor station located at Section 34, Township 10S, Range 21E, Leavenworth County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka. Also, a copy of the proposed permit can be reviewed at the KDHE Northeast District Office, 800 W. 24th St., Lawrence. To obtain or review the proposed permit and supporting documentation, contact Ashley Eichman, 785-296-1713, at the KDHE central office, and to review the proposed permit only, contact Pat Simpson, 785-842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Ashley Eichman, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business January 14.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cindy Moon, KDHE, Bureau of Air, not later than the close of business



January 14 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the 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, 66212, 913-551-7312, 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. 041160

## State of Kansas

### Department of Health and Environment

#### Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Bureau of Environmental Health, Radiation and Asbestos Control Section, will conduct a public hearing at 10 a.m. Monday, February 18, in the Flint Hills Conference Room, third floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of amended regulation K.A.R. 28-35-147a, pertaining to the radiation schedule of fees. A summary of the proposed regulation and the estimated economic impact follows:

#### Summary of Regulation:

**K.A.R. 28-35-147a.** The proposed amendments to the radiation schedule of fees adjust fees from approximately 64 percent to approximately 83 percent of the maximum established in K.S.A. 48-1606. The adjustment in fees is projected to generate sufficient revenue to operate the radiation control program for at least five additional years.

#### Economic Impact:

**Cost to individuals:** The adjusted fees will increase licensing and registration costs to the regulated community, which consists of 287 facilities licensed to use radioactive materials and 2,624 facilities registered to use X-ray equipment. These facilities include academic institutions, industrial/construction operations, research labs, medical and dental facilities, and security screening operations.

**Cost to the agency:** The proposed regulation will not result in any additional administrative costs to KDHE. All costs required to administer this regulation will be funded through licensing fees. There are no state general funds required to fund the KDHE program charged with administering the radiation fee regulation. Radioactive material license fees for KDHE will increase from \$2,400 to \$3,120 per year.

**Costs to other governmental agencies or units:** The adjusted fees will impact other state agencies that use radioactive materials and radiation-producing devices. The following summarizes a 30 percent increase in fees for the major agencies:

University of Kansas Hospital Authority: current fee \$12,580; proposed fee \$16,355

University of Kansas Medical Center: current fee \$4,955; proposed fee \$6,440

University of Kansas: current fee \$4,600; proposed fee \$5,980

Kansas State University: current fee \$4,600; proposed fee \$5,980

Agencies such as KDOT using portable radioactive gauges: current fee \$800; proposed fee \$1,040

The time period between publication of this notice and the scheduled hearing serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed amended regulation. All interested parties may submit written comments prior to 5 p.m. on the day of the hearing to Thomas A. Conley, KDHE, Bureau of Environmental Health, 1000 S.W. Jackson, Suite 330, Topeka, 66612, by email to [tconley@kdheks.gov](mailto:tconley@kdheks.gov) or by fax to 785-296-0984. During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed amended regulation as well as an opportunity to submit their written comments. In order to give each individual an opportunity to present their views, it may be necessary for the hearing officer to request that each presenter limit any oral presentation to an appropriate time frame.

Complete copies of the proposed regulation and the corresponding economic impact statement may be obtained on the KDHE radiation website at <http://www.kdheks.gov/radiation/radpubnotice.html> or by contacting Thomas A. Conley. Questions pertaining to the proposed regulation should be directed to Thomas A. Conley.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Thomas A. Conley.

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

Doc. No. 041147

## State of Kansas

**Department of Administration  
Office of Management Analysis  
and Standards**

**Public Notice**

Under requirements of K.S.A. 65-34,117 (c), as amended, records of the Office of Management Analysis and Standards show the unobligated balances are \$4,267,002.15 in the Underground Petroleum Storage Tank Release Trust Fund and \$1,657,918.47 in the Above-ground Petroleum Storage Tank Release Trust Fund at November 30, 2012.

Martin Eckhardt, Director  
Office of Management  
Analysis and Standards

Doc. No. 041166

## State of Kansas

**Secretary of State**

**Executive Appointments**

Executive appointments made by the governor, and in some cases by other state officials, are filed with the secretary of state's office. A listing of Kansas state agencies, boards, commissions, and county officials are included in the Kansas Directory, which is available on the secretary of state's website at [www.sos.ks.gov](http://www.sos.ks.gov). The following appointments were recently filed with the secretary of state:

**District Judge, 29th Judicial District,  
Division 3**

**Delia Maria York**, c/o Wyandotte County District Court, 701 N. 7th St., Kansas City, KS 66101. Succeeds John McNally, resigned.

**Cherokee County Attorney**

**Melanie Bingham**, c/o Cherokee County Courthouse, 100 W. Maple, Columbus, 66725. Succeeds John Bullard, resigned.

**Sedgwick County Sheriff**

**Jeff Easter**, 141 W. Elm, Wichita, 67203. Succeeds Robert Hinshaw, resigned.

**Smith County Treasurer**

**Vernon Reinking**, c/o Smith County Courthouse, 218 S. Grant, Smith Center, 66967. Succeeds Mark Schemm.

**State Building Advisory Commission**

**Tim de Noble**, Dean, College of Architecture, Planning and Design, Kansas State University, 115 Seaton Hall, Manhattan, 66506. Term expires June 30, 2014. Succeeds John Gaunt.

**State Board of Cosmetology**

**Charles Householder**, 12820 Sewell Ave., Kansas City, KS 66109. Term expires June 30, 2015. Reappointed.

**Kansas Commission for the Deaf  
and Hard of Hearing**

**Loren Medley**, 4613 S.W. Crenshaw Drive, Topeka, 66610. Term expires April 29, 2015. Succeeds Richard Kerby.

**Kansas Dental Board**

**Dr. Jeffrey Stasch**, 2205 Grandview Drive East, Garden City, 67846. Term expires April 30, 2016. Succeeds Michael Milford.

**Kansas Employment Security  
Board of Review**

**Lori MacDonald**, 3209 Huntington Road, Lawrence, 66049. Term expires March 15, 2014. Succeeds Patricia Bossert, resigned.

**Fire Service Training Commission**

**James Modig**, 1554 E. One Road, Berryton, 66409. Term expires Nov. 20, 2016. Succeeds James A. Long.

**Geographic Information Systems  
Policy Board**

**Bettejane Wooding**, Barton County Appraiser's Office, 1400 Main, Room 206, Great Bend, 67530. Term expires Sept. 30, 2016. Reappointed.

**Board of Examiners in Fitting and  
Dispensing of Hearing Instruments**

**Michael Schultes**, 521 N.W. Valencia Road, Topeka, 66615. Term expires June 30, 2015. Succeeds Sharron Hamilton.

**Kansas Historic Sites Board of Review**

**John Hoopes**, 1200 Oak Tree Drive, Lawrence, 66049. Term expires June 30, 2013. Reappointed.

**Toni Stewart**, 112 S.W. Woodlawn, Topeka, 66606. Term expires June 30, 2015. Succeeds Nancy Horst.

**Kansas Human Rights Commission**

**Melvin Neufeld**, 1509 Mac, Garden City, 67846. Term expires Jan. 15, 2016. Reappointed.

**State Board of Indigents'  
Defense Services**

**Samantha Angell**, 880 Barlow Court, Salina, 67401. Term expires Jan. 15, 2015. Succeeds Lawrence Daniels.

**State Library of Kansas Board**

**David DePue**, 6600 S.W. Wentley Lane, Topeka, 66614. Term expires June 30, 2016. Succeeds Marion Renner.

**Kansas National Guard**

**Brigadier General Scott Dold**, 972 E. 750th Road, Lawrence, 66047. Serves at the pleasure of the governor. Succeeds Debra Rose.

**Kansas Racing and Gaming Commission**

**David Moses**, 2318 N. Lindsay Circle, Wichita, 67228. Term expires Jan. 15, 2016. Succeeds Glenn Braun.

Kris W. Kobach  
Secretary of State

Doc. No. 041155

## State of Kansas

**Secretary of State**

**Notice of Corporations Forfeited**

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of November 2012 for failure to timely file an annual report and pay the annual report fee as required by the Kansas general corporation code:

**Domestic Corporations**

Adwent Tech Inc., Olathe, KS  
 Apostolic Church of Jesus Christ, Inc., Kansas City, MO.  
 Asian Town Buffet Inc., Wichita, KS  
 Barney Rogers Dirt Contractor, Inc., Ulysses, KS  
 CR Holding Company, LLP, Overland Park, KS  
 Emmert's, Inc., Wichita, KS  
 Glopbe Moving Group Inc., Overland Park, KS  
 Great War Dawn Patrol, Inc., Fort Leavenworth, KS  
 Heartland Railway Co., Olathe, KS  
 Heinen Insulation, Inc., Valley Falls, KS  
 HK Warehouse Inc., Wichita, KS  
 Hopewerks Corporation, Derby, KS  
 Kansas City 4WD Association, Inc., Lenexa, KS  
 Mullin Investment, Inc., Dodge City, KS  
 NAAV, Inc., Overland Park, KS  
 Peace Enterprises, Inc., Lecompton, KS  
 Phil Johnson Enterprises, Inc., De Soto, KS  
 Plaugger Corporation, Louisburg, KS  
 Professional Ironworks, LLC, Wichita, KS  
 Rattlesnake Well Service, Inc., Iuka, KS  
 Rising Star Logistics Inc., Kansas City, KS  
 Sandy's Gift Co., Coldwater, KS  
 SCO, Inc., Garden City, KS  
 Sheridan County Historical Society, Incorporated, Hoxie, KS  
 Shunga Management, Inc., Topeka, KS  
 Soma Productions, Inc., Hutchinson, KS  
 Story and the Strangers, Inc., Prairie Village, KS  
 Tech21, Inc., Overland Park, KS  
 Three Pines Properties LLC, Derby, KS  
 Tribune Grain, Inc., Tribune, KS  
 Western Music Co., Inc., Great Bend, KS  
 Worldcare Medtrans LLC, Kansas City, MO

**Foreign Corporations**

Beacon Flex Services, L.L.C., Altus, OK  
 Block & Company, Inc., Realtors, Kansas City, MO  
 Bright Plumbing, Inc., Lee's Summit, MO  
 Reynolds Construction Co., Inc., Denver, CO  
 Studio One Media, Inc., Topeka, KS  
 The Durrant Group, Inc., Dubuque, IA  
 Winter Equipment Company, Incorporated, Willoughby, OH

Kris W. Kobach  
 Secretary of State

Doc. No. 041156

**State of Kansas**

**Department of Health  
 and Environment**

**Permanent Administrative  
 Regulations**

**Article 19.—AMBIENT AIR QUALITY STANDARDS  
 AND AIR POLLUTION CONTROL**

**28-19-350. Prevention of significant deterioration (PSD) of air quality.** (a) PSD requirements. The requirements of this regulation shall apply to the construction of major stationary sources and major modifications of stationary sources as defined in 40 C.F.R. 52.21 in areas of the state designated as attainment areas or unclassified areas for any pollutant under the procedures prescribed by section 107(d) of the federal clean air act, 42 U.S.C. 7407(d).

(b) Adoption by reference; exceptions.  
 (1) 40 C.F.R. 52.21, as revised on July 1, 2011 and as amended by 76 fed. reg. 43507 (2011) and 77 fed. reg. 65118-65119 (2012), is adopted by reference, except as specified in paragraph (b)(2).  
 (2) The following provisions of the federal regulation adopted in paragraph (b)(1) are excluded from adoption:  
 (A) Plan disapproval, 52.21(a)(1);  
 (B) stack heights, 52.21(h);  
 (C) air quality analysis, 52.21(m)(1)(v);  
 (D) visibility monitoring, 52.21(o)(3);  
 (E) public participation, 52.21(q);  
 (F) environmental impact statements, 52.21(s);  
 (G) disputed permits or redesignations, 52.21(t);  
 (H) delegation of authority, 52.21(u); and  
 (I) permit rescission, 52.21(w).

(c) Provisions adopted by reference; term usage. When used in any provision adopted from 40 C.F.R. 52.21, each reference to "administrator" shall mean the "secretary of health and environment or an authorized representative of the secretary," except for the following:

(1) In subsections 52.21(b)(3)(iii)(a) and 52.21(b)(48)(ii), "administrator" shall mean both the "secretary of health and environment" and the "administrator of USEPA."

(2) In subsections 52.21(b)(17), 52.21(b)(37)(i), 52.21(b)(43), 52.21(b)(48)(ii)(c), 52.21(b)(50)(i), 52.21(b)(51), 52.21(g), 52.21(i)(6-8), 52.21(l)(2), and 52.21(m)(1)(vii - viii), "administrator" shall mean only the "administrator of USEPA."

(d) Internal references.

The following portions of 40 C.F.R. part 51 are hereby adopted by reference:

(1) Subpart I, as revised on July 1, 2011 and as amended by 76 fed. reg. 43507 (2011) and 77 fed. reg. 65118 (2012);

(2) appendix S, as revised on July 1, 2011 and as amended by 77 fed. reg. 65118 (2012); and

(3) appendix W, as revised on July 1, 2011.

(e) Definitions. For the purposes of this regulation, the following definitions shall apply:

(1) "Act" shall mean the federal clean air act, 42 U.S.C. 7401 et seq.

(2) "Class I, II or III area" shall mean a classification assigned to any area of the state under the provisions of sections 162 and 164 of the act, 42 U.S.C. 7472 and 7474, and amendments thereto.

(3) "State" shall mean the state of Kansas, unless the context clearly indicates otherwise.

(f) Ambient air ceiling protection. In relation to ambient air ceilings, the following requirements shall apply:

(1) Except as stated in paragraph (f)(2) of this regulation, a permit shall not be issued for any new major stationary source or major modification as defined in 40 C.F.R. 52.21(b) if the source or modification will be located in an attainment area or an unclassifiable area for any national ambient air quality standard and if the source or modification would cause or contribute to a violation of any national ambient air quality standard. A major source or major modification shall be considered to cause or contribute to a violation of a national ambient air quality standard if the air quality impact of the source or modification would exceed the following levels at any

(continued)

locality that does not or would not meet the applicable national standard:

Pollutant	Averaging Time				
	Annual	24 hrs.	8 hrs.	3 hrs.	1 hr.
Sulphur dioxide	1.0 $\mu\text{g}/\text{m}^3$	5 $\mu\text{g}/\text{m}^3$	-----	25 $\mu\text{g}/\text{m}^3$	-----
PM <sub>10</sub>	1.0 $\mu\text{g}/\text{m}^3$	5 $\mu\text{g}/\text{m}^3$	-----	-----	-----
PM <sub>2.5</sub>	0.3 $\mu\text{g}/\text{m}^3$	1.2 $\mu\text{g}/\text{m}^3$	-----	-----	-----
Nitrogen dioxide	1.0 $\mu\text{g}/\text{m}^3$	-----	-----	-----	-----
Carbon monoxide	-----	-----	0.5 mg/m <sup>3</sup>	-----	2 mg/m <sup>3</sup>

(2) A permit may be granted for a major stationary source or major modification as identified in paragraph (f)(1) of this regulation if the impact of the major stationary source's or major modification's emissions upon air quality is reduced by a sufficient amount to compensate for any adverse impact at the location where the major source or modification would otherwise cause or contribute to a violation of any national ambient air quality standard. Subsection (f) shall not apply to a major stationary source or major modification with respect to a particular pollutant if the owner or operator demonstrates that the source is located in an area that has been identified as not meeting either the national primary or secondary ambient air quality standard for that particular pollutant.

(g) Stack height requirements. K.A.R. 28-19-18 through K.A.R. 28-19-18f, regarding stack height requirements, shall apply to the sources subject to this regulation.

(h) Application required. Each application for a PSD permit shall be submitted by the owner or operator on the forms provided or approved by the department. K.A.R. 28-19-300 through K.A.R. 28-19-304, regarding construction permit and approval requirements, shall apply to the sources subject to this regulation.

(i) Impact on federal class I areas; notification required. If the emissions from any proposed major stationary source or major modification subject to this regulation will affect any air quality-related values in any federal class I area, a copy of the permit application for the source or modification shall be transmitted by the secretary or an authorized representative of the secretary to the administrator of USEPA through the appropriate regional office. The administrator, through the appropriate regional office, shall also be notified of every action taken concerning the application.

(j) Permit suspension or revocation. Any permit issued under this regulation may be suspended or revoked by the secretary upon a finding that the owner or operator has failed to comply with any requirement specified in the permit or with any other statutory or regulatory requirement. This subsection shall not be interpreted to preclude any other remedy provided by law to the secretary.

(k) Public participation requirements. In addition to the requirements of K.A.R. 28-19-204, the following public participation requirements shall be met before issuance of the permit:

(1) The public notice shall include the following:

(A) A statement specifying the portion of the applicable maximum allowable increment that is expected to be consumed by the source or modification; and

(B) a statement that the federal land manager of any adversely impacted federal class I area has the opportunity to provide the secretary with a demonstration that the emissions from the proposed source or modification

will have an adverse impact on air quality-related values in the federal class I area.

(2) A copy of the public notice shall be mailed to the following:

(A) The applicant;

(B) the administrator of USEPA through the appropriate regional office;

(C) any state or local air pollution control agency having jurisdiction in the air quality control region in which the new or modified installation will be located;

(D) the chief executives of the city and county where the source will be located;

(E) any comprehensive regional land use planning agency having jurisdiction where the source will be located; and

(F) any state, federal land manager, or Indian governing body whose lands will be affected by emissions from the new construction or modification.

(3) In addition to those materials required to be available for public review at the appropriate district office or local agency, a summary analysis and discussion of those materials as they relate to establishing compliance with the requirements of this regulation shall be made available for public review.

(4) Copies of all comments received and the written determination of the secretary shall be made available for public inspection at the appropriate district office or local agency. (Authorized by K.S.A. 2011 Supp. 65-3005; implementing K.S.A. 2011 Supp. 65-3005 and K.S.A. 65-3008; effective Nov. 22, 2002; amended June 30, 2006; amended Oct. 23, 2009; amended Nov. 29, 2010; amended Dec. 28, 2012.)

**28-19-735. National emission standards for hazardous air pollutants.** (a) 40 C.F.R. part 61 and its appendices, as in effect on July 1, 2010, are adopted by reference except for the following:

(1) The following sections in subpart A:

(A) 61.04;

(B) 61.16; and

(C) 61.17;

(2) subpart B;

(3) subpart H;

(4) subpart I;

(5) subpart K;

(6) subpart Q;

(7) subpart R;

(8) subpart T; and

(9) subpart W.

(b) Unless the context clearly indicates otherwise, the following meanings shall be given to these terms as they appear in 40 C.F.R. part 61:

(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. (Authorized by K.S.A. 2011 Supp. 65-3005; 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 Nov. 5, 2010; amended Dec. 28, 2012.)

**28-19-750. Hazardous air pollutants; maximum achievable control technology.** (a) 40 C.F.R. part 63 and its appendices, as in effect on July 1, 2010, are adopted by reference, except for the following:

- (1) The following sections in subpart A:
    - (A) 63.6(f)(1), (g), (h)(1), and (h)(9);
    - (B) 63.7(e)(2)(ii) and (f);
    - (C) 63.8(f);
    - (D) 63.10(f);
    - (E) 63.12;
    - (F) 63.13;
    - (G) in 63.14(b)(27), the phrase “and table 5 to subpart DDDDD of this part”;
    - (H) 63.14(b)(35), (39) through (53), and (55) through (62);
    - (I) in 63.14(i)(1), the phrase “table 5 to subpart DDDDD of this part”; and
    - (J) 63.15;
  - (2) subpart B ;
  - (3) subpart C;
  - (4) subpart D;
  - (5) subpart E;
  - (6) subpart ZZZZ;
  - (7) subpart DDDDD;
  - (8) subpart JJJJJ;
  - (9) subpart KKKKK.
- (b) 40 C.F.R. part 63 subpart ZZZZ, as in effect on July 1, 2009, is 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 63:

- (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. (Authorized by K.S.A. 2011 Supp. 65-3005; 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 Nov. 5, 2010; amended Dec. 28, 2012.)

**28-19-750a. Consolidated federal air regulations; synthetic organic chemical manufacturing industry.** (a) 40 C.F.R. part 65 and its appendices, as in effect on July 1, 2010, are adopted by reference except for the following sections in subpart A:

- (1) 65.9;
  - (2) 65.10; and
  - (3) 65.14.
- (b) Unless the context clearly indicates otherwise, the following meanings shall be given to these terms as they appear in 40 C.F.R. part 65:
- (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 en-

vironmental protection agency shall mean the department.

(3) The term “state” shall mean the state of Kansas. (Authorized by K.S.A. 2011 Supp. 65-3005; implementing K.S.A. 65-3008 and 65-3010; effective Dec. 3, 2004; amended Nov. 5, 2010; amended Dec. 28, 2012.)

#### Article 29.—SOLID WASTE MANAGEMENT

**28-29-300. Definitions.** (a) For the purposes of K.A.R. 28-29-300 through K.A.R. 28-29-333, the following definitions shall apply:

- (1) “C&D” means construction and demolition.
- (2) “C&D contact water” means liquid, consisting primarily of precipitation, that has infiltrated through the C&D waste or has been in contact with the C&D waste for any period of time. This term shall include all runoff from the active area of the C&D landfill and all liquid derived from the C&D waste.
- (3) “C&D landfill” shall have the meaning assigned to “construction and demolition landfill” in K.S.A. 65-3402, and amendments thereto.
- (4) “C&D waste” shall have the meaning assigned to “construction and demolition waste” in K.S.A. 65-3402, and amendments thereto. For the purposes of this definition, the following clarifications shall apply:

(A) “Furniture and appliances” shall not include computer monitors and other computer components, televisions, videocassette recorders, stereos, and similar waste electronics.

(B) “Treated wood” shall include wood treated with any of the following:

- (i) Creosote;
- (ii) oil-borne preservatives, including pentachlorophenol and copper naphthenate;
- (iii) waterborne preservatives, including chromated copper arsenate (CCA), ammoniacal copper zinc arsenate (ACZA), and ammoniacal copper quaternary compound (ACQ); or
- (iv) any other chemical that poses a risk to human health or safety or the environment that is similar to any of the risks posed by the chemicals specified in paragraphs (a)(4)(B)(i) through (iii).

(C) “Untreated wood” shall include the following, if the wood has not been treated with any of the chemicals listed in paragraphs (a)(4)(B)(i) through (iv):

- (i) Coated wood, including wood that has been painted, stained, or varnished; and
- (ii) engineered wood, including plywood, laminated wood, oriented-strand board, and particle board.

(5) “Hazardous waste” means material determined to be hazardous waste as specified in K.A.R. 28-31-261.

(6) “Household hazardous waste” shall have the meaning specified in K.A.R. 28-29-1100.

(7) “Lower explosive limit” and “LEL” mean the lowest percent volume of a mixture of explosive gases in air that will propagate a flame at 25°C and atmospheric pressure.

(8) “Non-C&D waste” means all solid waste that is not specifically defined as construction and demolition waste in K.S.A. 65-3402, and amendments thereto. Non-C&D

(continued)

waste shall include hazardous waste and household hazardous waste.

(b) If a requirement in K.A.R. 28-29-300 through K.A.R. 28-29-333 conflicts with a requirement of K.A.R. 28-29-12 or K.A.R. 28-29-23, the requirement in K.A.R. 28-29-300 through K.A.R. 28-29-333 shall control. (Authorized by and implementing K.S.A. 65-3406; effective March 17, 2004; amended Dec. 28, 2012.)

**28-29-330. Control of hazardous and explosive gases at C&D landfills; applicability of additional requirements.** (a) Applicability of additional design, operating, and postclosure requirements. The additional design, operating, and postclosure requirements of K.A.R. 28-29-332 shall apply to the owner or operator of each disposal unit at a C&D landfill that meets all of the following conditions:

(1) Location. Precipitation in all parts of the county in which the C&D landfill is located averages more than 25 inches per year. The following counties and any county located east of these counties shall be designated as meeting this condition: Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, and Harper.

(2) Capacity. The disposal unit meets one of the following conditions:

(A) The construction of the disposal unit begins on or after the effective date of this regulation, and the capacity of the disposal unit is more than 50,000 cubic yards. Construction of the disposal unit shall be in accordance with a construction quality assurance plan that is specific to the disposal unit and has been approved by the secretary.

(B) The construction of the disposal unit begins on or after January 1, 2014 and the capacity of the disposal unit, in combination with all other disposal units constructed on or after January 1, 2014, is more than 50,000 cubic yards. Construction of the disposal unit shall be in accordance with a construction quality assurance plan that is specific to the disposal unit and has been approved by the secretary.

(3) Hydrogeology. The disposal unit meets one or both of the following conditions, as evaluated and documented by a professional engineer or licensed geologist:

(A) The disposal unit is located within a 100-year floodplain.

(B) The permeability of the natural soils or the constructed soil liner or the natural geologic formation under the disposal unit is  $1 \times 10^{-7}$  centimeters per second or less, including quarry landfills with competent shale bases, unless the owner or operator demonstrates to the department that design and operational practices ensure that C&D contact water will exit the disposal unit by gravity flow.

(b) Applicability of corrective action requirements. The corrective action requirements of K.A.R. 28-29-333 shall apply to the owner or operator of each C&D landfill during the operating and postclosure periods. (Authorized by and implementing K.S.A. 65-3406; effective Dec. 28, 2012.)

**28-29-331. Control of hazardous and explosive gases at C&D landfills; documentation of conditions used to determine applicability.** Each person that submits an application for a new C&D landfill and each

owner or operator that proposes to construct a disposal unit at an existing C&D landfill shall submit to the department documentation of the conditions specified in K.A.R. 28-29-330, according to the following requirements:

(a) Required documentation.

(1) If the C&D landfill meets the location conditions specified in K.A.R. 28-29-330(a)(1), the applicant or the owner or operator shall submit documentation of the capacity of the proposed disposal unit and the capacity of each disposal unit constructed on or after January 1, 2014.

(2) If the proposed disposal unit meets the location and capacity conditions specified in K.A.R. 28-29-330(a)(1) and (2), the applicant or the owner or operator shall submit documentation of the hydrogeologic conditions specified in K.A.R. 28-29-330(a)(3). For the purposes of determining the applicability of K.A.R. 28-29-332, if the disposal unit meets one of the hydrogeologic conditions listed in K.A.R. 28-29-330(a)(3), the applicant or the owner or operator shall not be required to submit documentation of the other hydrogeologic conditions.

(b) Schedule for submission of documentation.

(1) Each applicant for a new C&D landfill permit shall include the documentation specified in subsection (a) with the permit application.

(2) Each owner or operator of an existing C&D landfill that proposes to construct a disposal unit shall submit the documentation specified in subsection (a) on or before the date the construction quality assurance plan for the disposal unit is submitted. (Authorized by and implementing K.S.A. 65-3406; effective Dec. 28, 2012.)

**28-29-332. Control of hazardous and explosive gases at C&D landfills; additional design, operating, and postclosure requirements.** The owner or operator of each disposal unit at a C&D landfill that meets the conditions of K.A.R. 28-29-330 for determining the applicability of additional design, operating, and postclosure requirements shall comply with the following requirements:

(a) The owner or operator shall design, construct, and operate the disposal unit to prevent contact water from accumulating in the waste.

(b) The owner or operator shall perform both of the following:

(1) Demonstrate whether it will be necessary to pump contact water out of the landfill after the landfill closes in order to prevent contact water from accumulating in the waste; and

(2) include this information in the operating plan.

(c) If the operating plan states that contact water will be pumped out of the landfill after closure, the owner or operator shall obtain financial assurance for postclosure, according to the requirements of K.A.R. 28-29-2101 through 28-29-2113. (Authorized by and implementing K.S.A. 65-3406; effective Dec. 28, 2012.)

**28-29-333. Control of hazardous and explosive gases at C&D landfills; response, assessment monitoring, and corrective action.** The owner or operator of each C&D landfill shall comply with the following:

(a) Identification of potential problem. If the owner or operator observes or is informed of any indication of a

release of landfill gas, the owner or operator shall perform the following:

- (1) Immediately assess the potential danger posed to human health and safety;
- (2) immediately take all the steps necessary to ensure protection of human health and safety;
- (3) notify the department of the observation or information within two business days; and
- (4) in consultation with the department, implement appropriate action to assess the concentrations of gas at the landfill.

(b) Action levels. The owner or operator shall comply with the requirements of subsection (c) if gas concentrations exceed any of the following levels:

- (1) For methane, either of the following:
  - (A) 25% of the LEL (1.25% by volume) in any building on the facility property; or
  - (B) 100% of the LEL (5% by volume) at the facility property boundary;
- (2) for hydrogen sulfide, either of the following:
  - (A) 1 ppm for on-site personnel; or
  - (B) 0.1 ppm in the ambient air at the facility boundary, based on a 15-minute time-weighted average measured when the wind speed is less than 15 mph; or
- (3) for any gas other than methane or hydrogen sulfide, a level that presents a risk to human health or safety equivalent to the levels listed in paragraphs (1) and (2) of this subsection.

(c) Response and assessment monitoring. If the concentration of any gas exceeds the levels specified in subsec-

tion (b), the owner or operator shall perform the following actions:

- (1) If an exceedance is found at the facility boundary, immediately notify the local government's public health, environment, and emergency management offices;
- (2) notify the department within one business day;
- (3) within one week and in consultation with the department, develop a gas monitoring plan;
- (4) upon approval of the secretary, implement the gas monitoring plan; and
- (5) if gas monitoring has continued for one month and the frequency of the exceedances is not decreasing, take long-term corrective action according to the requirements of subsection (d).

(d) Corrective action. If long-term corrective action is required, the owner or operator shall perform the following actions:

- (1) Develop and submit to the department a corrective action plan, including provisions for the installation of an active or passive gas management system. The owner or operator shall submit the plan within 60 calendar days of the date the conditions requiring corrective action were met; and
- (2) upon approval of the secretary, implement the corrective action plan. (Authorized by and implementing K.S.A. 65-3406; effective Dec. 28, 2012.)

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

Doc. No. 041146

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2012 Supplement of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-64-1	Revoked	V. 31, p. 171

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-15-4	Amended	V. 31, p. 570
4-15-5	Amended	V. 31, p. 301
4-15-6	Amended	V. 31, p. 301
4-15-7	Amended	V. 31, p. 570
4-15-8	Amended	V. 31, p. 570
4-15-9	Amended	V. 31, p. 571
4-15-9a	New	V. 31, p. 571
4-15-10	Amended	V. 31, p. 571
4-15-13	Amended	V. 31, p. 572
4-28-3	Revoked	V. 31, p. 1276
4-28-4	Revoked	V. 31, p. 1276
4-28-6	Amended (T)	V. 31, p. 998
4-28-6	Amended	V. 31, p. 1276
4-28-7	Revoked	V. 31, p. 1277
4-28-31	New (T)	V. 31, p. 998
4-28-31	New	V. 31, p. 1277

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-9-3	Amended	V. 31, p. 773

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-23-4	Amended	V. 31, p. 197
7-23-14	New	V. 31, p. 197
7-36-7	New	V. 31, p. 198
7-36-8	New	V. 31, p. 199
7-46-1	New	V. 31, p. 199
7-46-2	New	V. 31, p. 199
7-46-3	New	V. 31, p. 200

**AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

Reg. No.	Action	Register
14-13-1	Amended (T)	V. 31, p. 1356
14-13-13	Amended (T)	V. 31, p. 1357
14-13-16	New (T)	V. 31, p. 1358
14-13-17	New (T)	V. 31, p. 1359
14-16-25	Amended	V. 31, p. 1427

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-12-1		
16-12-10	New (T)	V. 31, p. 1359-1365

**AGENCY 20: CRIME VICTIMS COMPENSATION BOARD**

Reg. No.	Action	Register
20-2-5	Revoked	V. 31, p. 1031
20-3-1	Revoked	V. 31, p. 1031
20-3-2	Revoked	V. 31, p. 1031

**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
22-25-1	New	V. 31, p. 973
22-25-2	New	V. 31, p. 974

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-31-10	Amended	V. 31, p. 196
28-35-600		
28-35-608	New	V. 31, p. 90-93
28-54-1		
28-54-5	Amended	V. 31, p. 280-282
28-56-1		
28-56-10	New	V. 31, p. 708-711

**AGENCY 30: DEPARTMENT FOR CHILDREN AND FAMILIES (FORMERLY DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES)**

Reg. No.	Action	Register
30-46-10	Amended (T)	V. 31, p. 887
30-46-10	Amended	V. 31, p. 1126

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-37	Amended	V. 31, p. 887
40-1-48	Amended	V. 31, p. 887
40-4-42c	Amended	V. 31, p. 170
40-5-7	Revoked	V. 31, p. 114

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-5-115	Amended	V. 31, p. 301
44-9-101	Amended	V. 31, p. 302
44-9-105	Amended	V. 31, p. 303
44-9-107	New	V. 31, p. 304
44-9-501		
44-9-504	New	V. 31, p. 304, 305
44-11-111	Amended	V. 31, p. 193

(continued)

44-11-113	Amended	V. 31, p. 194
44-11-119	Amended	V. 31, p. 195
44-11-121	Amended	V. 31, p. 195
44-11-123	Amended	V. 31, p. 195
44-11-127	Amended	V. 31, p. 195
44-11-129	Amended	V. 31, p. 196
44-11-132	Amended	V. 31, p. 196

**AGENCY 45: PRISONER REVIEW BOARD**

Reg. No.	Action	Register
45-100-1	Revoked	V. 31, p. 306
45-500-1 through 45-500-4	Revoked	V. 31, p. 306

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-11-101	Amended	V. 31, p. 572
60-11-102	Amended	V. 31, p. 573
60-11-103	Amended	V. 31, p. 573
60-11-104	Amended	V. 31, p. 574
60-11-104a	Amended	V. 31, p. 574
60-11-105	Amended	V. 31, p. 574
60-11-106	Amended	V. 31, p. 575
60-11-107	Amended	V. 31, p. 575
60-11-113	Amended	V. 31, p. 575
60-11-116	Amended	V. 31, p. 575
60-11-118	Amended	V. 31, p. 576
60-11-119	Amended	V. 31, p. 576
60-11-120	Amended	V. 31, p. 576
60-11-121	Amended	V. 31, p. 576
60-13-112	Amended	V. 31, p. 576
60-16-102	Amended	V. 31, p. 577
60-16-103	Amended	V. 31, p. 577
60-16-104	Amended	V. 31, p. 578
60-17-101	Amended	V. 31, p. 580
60-17-104	Amended	V. 31, p. 580
60-17-105	Amended	V. 31, p. 581
60-17-110	Amended	V. 31, p. 581
60-17-111	Amended	V. 31, p. 581

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-20-30	New (T)	V. 31, p. 1049

**AGENCY 69: BOARD OF COSMETOLOGY**

Reg. No.	Action	Register
69-12-3	Amended	V. 31, p. 1314
69-13-4	New	V. 31, p. 1314

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-1-4	Amended	V. 31, p. 607
74-2-7	Amended	V. 31, p. 607
74-4-3a	Amended	V. 31, p. 608
74-4-7	Amended	V. 31, p. 608
74-4-8	Amended	V. 31, p. 609
74-4-10	Amended	V. 31, p. 610
74-5-2	Amended	V. 31, p. 610
74-5-101	Amended	V. 31, p. 611
74-5-202	Amended	V. 31, p. 612
74-5-302	Revoked	V. 31, p. 612
74-11-6	Amended	V. 31, p. 612

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-3-1200 through 82-3-1223	New	V. 31, p. 1472-1490

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-29-1	Amended	V. 31, p. 380
88-29-5	Amended	V. 31, p. 381
88-29-6	Amended	V. 31, p. 382
88-29-7	Amended	V. 31, p. 382
88-29-7a	Amended	V. 31, p. 382
88-29-10	Amended	V. 31, p. 382
88-29-11	Amended	V. 31, p. 1426
88-29a-5	Amended	V. 31, p. 383
88-29a-6	Amended	V. 31, p. 384
88-29a-7	Amended	V. 31, p. 384
88-29a-7a	Amended	V. 31, p. 385
88-29a-10	Amended	V. 31, p. 385
88-29a-11	Amended	V. 31, p. 387
88-29a-18	Amended	V. 31, p. 388
88-29a-19	Amended	V. 31, p. 389

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-209	Amended	V. 31, p. 974

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-28a-5	Amended	V. 31, p. 323
100-28a-10	Amended	V. 31, p. 324

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-6-1	Revoked	V. 31, p. 114
102-6-2	Revoked	V. 31, p. 114
102-6-4	Revoked	V. 31, p. 114
102-6-5	Revoked	V. 31, p. 114
102-6-8	Revoked	V. 31, p. 114
102-6-9	Revoked	V. 31, p. 114
102-6-9a	Revoked	V. 31, p. 114
102-6-10	Revoked	V. 31, p. 114
102-6-11	Revoked	V. 31, p. 114
102-6-12	Revoked	V. 31, p. 114

**AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-3-2	Amended (T)	V. 31, p. 1002
105-3-2	Amended	V. 31, p. 1313
105-7-1 through 105-7-4	Amended	V. 31, p. 1427, 1428
105-7-6	Amended	V. 31, p. 1428
105-7-8	Revoked	V. 31, p. 1428
105-11-1	Amended	V. 31, p. 1428

**AGENCY 106: COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING (FORMERLY LAW ENFORCEMENT TRAINING COMMISSION)**

Reg. No.	Action	Register
106-1-1 through 106-1-8	Revoked (T)	V. 31, p. 1002
106-1-1 through 106-1-8	Revoked	V. 31, p. 1221
106-2-1	New (T)	V. 31, p. 1002
106-2-1	New	V. 31, p. 1221
106-2-2	New (T)	V. 31, p. 1003
106-2-2	New	V. 31, p. 1221
106-2-2a	New (T)	V. 31, p. 1003
106-2-2a	New	V. 31, p. 1221
106-2-3	New (T)	V. 31, p. 1004
106-2-3	New	V. 31, p. 1223
106-2-4	New (T)	V. 31, p. 1005
106-2-4	New	V. 31, p. 1223
106-3-1 through 106-3-6	New (T)	V. 31, p. 1005, 1006
106-3-1 through 106-3-6	New	V. 31, p. 1223, 1224
106-4-1	New (T)	V. 31, p. 1006
106-4-1	New	V. 31, p. 1224

**AGENCY 107: LAW ENFORCEMENT TRAINING CENTER**

Reg. No.	Action	Register
107-1-1 through 107-1-5	Revoked (T)	V. 31, p. 1007
107-1-1 through 107-1-5	Revoked	V. 31, p. 1225
107-2-1	Revoked (T)	V. 31, p. 1007
107-2-1	Revoked	V. 31, p. 1225
107-3-1	Revoked (T)	V. 31, p. 1007
107-3-1	Revoked	V. 31, p. 1226

**AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES**

Reg. No.	Action	Register
109-3-3	New	V. 31, p. 246
109-3-4	New	V. 31, p. 247
109-3-5	Amended	V. 31, p. 1295
109-5-1c	New	V. 31, p. 247

109-5-7c	New (T)	V. 31, p. 245
109-5-7c	New	V. 31, p. 497
109-7-1	Amended	V. 31, p. 248
109-8-2	New	V. 31, p. 225
109-10-1c	New	V. 31, p. 225
109-11-4a	New	V. 31, p. 225
109-13-1	Amended	V. 31, p. 248

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. A list of regulations filed from December 1, 2009 through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 Kansas Register. The following regulations were filed after December 22, 2011:

Reg. No.	Action	Register
111-2-270 through 111-2-276	New	V. 31, p. 114-116
111-2-277 through 111-2-282	New	V. 31, p. 582, 583
111-2-283 through 111-2-286	New	V. 31, p. 648
111-2-287	New	V. 31, p. 1428
111-2-288	New	V. 31, p. 1428
111-4-3135	New	V. 31, p. 116
111-4-3136	New	V. 31, p. 121
111-4-3137 through 111-4-3142	New	V. 31, p. 274-278
111-4-3144 through 111-4-3158	New	V. 31, p. 345-354
111-4-3159 through 111-4-3162	New	V. 31, p. 583-587
111-4-3163 through 111-4-3171	New	V. 31, p. 613-617
111-4-3172 through 111-4-3181	New	V. 31, p. 649-656
111-4-3182 through 111-4-3196	New	V. 31, p. 1429-1441
111-4-3197 through 111-4-3203	New	V. 31, p. 1468-1470
111-5-23 through 111-5-28	Amended	V. 31, p. 355-358
111-5-31	Amended	V. 31, p. 359
111-5-33	Amended	V. 31, p. 279
111-5-82	Amended	V. 31, p. 657
111-5-83	Amended	V. 31, p. 657
111-5-194	Amended	V. 31, p. 359
111-5-200	New	V. 31, p. 360
111-5-201 through 111-5-206	New	V. 31, p. 618, 619
111-9-174	New	V. 31, p. 122
111-9-175	New	V. 31, p. 123
111-9-176	New	V. 31, p. 124
111-9-177	New	V. 31, p. 360
111-9-178	New	V. 31, p. 1442
111-9-179	New	V. 31, p. 1442
111-9-180	New	V. 31, p. 1470
111-9-181	New	V. 31, p. 1471
111-17-3	New	V. 31, p. 279
111-17-4	New	V. 31, p. 619
111-201-14	Amended	V. 31, p. 361
111-301-6	Amended	V. 31, p. 658
111-301-32 through 111-301-44	New	V. 31, p. 1443-1446



111-401-1		
through		
111-401-50	New	V. 31, p. 389-407
111-401-51		
through		
111-401-118	New	V. 31, p. 427-449
111-401-119		
through		
111-401-166	New	V. 31, p. 528-552
111-501-9	Amended	V. 31, p. 124
111-501-12	Amended	V. 31, p. 659
111-501-14		
through		
111-501-26	New	V. 31, p. 124-129
111-501-35		
through		
111-501-81	New	V. 31, p. 129-146
111-501-82		
through		
111-501-102	New	V. 31, p. 620-628

**AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS, AND TOURISM**

Reg. No.	Action	Register
115-1-1	Amended	V. 31, p. 1365
115-2-1	Amended	V. 31, p. 1367
115-2-2	Amended	V. 31, p. 1368
115-4-2	Amended	V. 31, p. 425
115-4-4	Amended	V. 31, p. 426
115-4-4a	Amended	V. 31, p. 427
115-4-15	New	V. 31, p. 1368

115-7-3	Amended	V. 31, p. 1370
115-8-1	Amended	V. 31, p. 1370
115-8-2	Amended	V. 31, p. 953
115-8-19	Amended	V. 31, p. 1371
115-8-23	New	V. 31, p. 953
115-8-24	New	V. 31, p. 954
115-14-1		
through		
115-14-6	Revoked	V. 31, p. 1142
115-14-8	Revoked	V. 31, p. 1142
115-14-9	Revoked	V. 31, p. 1142
115-14-10	Revoked	V. 31, p. 1142
115-14-11		
through		
115-14-15	New	V. 31, p. 1142-1151
115-17-6		
through		
115-17-9	Amended	V. 31, p. 954, 955
115-18-1	Amended	V. 31, p. 1152
115-18-18	Amended	V. 31, p. 1371
115-18-22	New	V. 31, p. 1371
115-20-7	Amended	V. 31, p. 956

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-2-2	Amended	V. 31, p. 1066
117-2-2a	Amended	V. 31, p. 1067
117-3-2	Amended	V. 31, p. 1067
117-3-2a	Amended	V. 31, p. 1068
117-4-2	Amended	V. 31, p. 1069

117-4-2a	Amended	V. 31, p. 1070
117-5-2	Amended	V. 31, p. 1070
117-5-2a	Amended	V. 31, p. 1071
117-7-1	Amended	V. 31, p. 683
117-8-1	Revoked	V. 31, p. 1071
117-20-1		
through		
117-20-7	New (T)	V. 31, p. 997
117-20-1	New	V. 31, p. 1248
117-20-2	New	V. 31, p. 1248
117-20-4	New	V. 31, p. 1248
117-20-5	New	V. 31, p. 1248
117-20-6	New	V. 31, p. 1248

**AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT—DIVISION OF HEALTH CARE FINANCE**

Reg. No.	Action	Register
129-5-1	Amended	V. 31, p. 1248

**AGENCY 130: HOME INSPECTORS REGISTRATION BOARD**

Reg. No.	Action	Register
130-2-1	Amended	V. 31, p. 224

**AGENCY 132: KANSAS 911 COORDINATING COUNCIL**

Reg. No.	Action	Register
132-2-1	New	V. 31, p. 223
132-4-1	New	V. 31, p. 224

**Kansas Register**  
**Secretary of State**  
**1st Floor, Memorial Hall**  
**120 S.W. 10th Ave.**  
**Topeka, KS 66612-1594**

---