



Kansas Register

Kris W. Kobach, Secretary of State

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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/. Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: tshepher@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801-5415.

Fort Hays State University — Bid postings: www.fhsu.edu/purchasing/bids. Additional contact info: phone: 785-628-4251, fax: 785-628-4046, email: 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. Additional contact info: phone: 785-532-5214, fax: 785-532-5577, email: 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. Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: purch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

University of Kansas — Electronic bid postings: <http://www.procurement.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 20, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: 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. 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.

Steve White
Chair of Regents Purchasing Group
Director of Purchasing
Wichita State University

Doc. No. 042813

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State of Kansas

Secretary of State

Code Mortgage Rate for March

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of March 1-31, 2015, is 12 percent. The reference rate referred to in the definition of "code mortgage rate" set forth in K.S.A. 16a-1-301(11)(b)(i) is discontinued, has become impractical to use, and/or is otherwise not readily ascertainable from the Federal Home Loan Mortgage Corporation.

Kris W. Kobach
Secretary of State

Doc. No. 043348

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:

- 03/13/2015 EVT0003582 Data Conflation & Aggregation IT Services
- 03/17/2015 EVT0003583 Agricultural Services at Norton Wildlife Area
- 03/17/2015 EVT0003585 Aggregate at Wilson State Park
- 03/17/2015 EVT0003590 Bituminous Mixture, Hot Mix/ Cold Lay, Dist. #4, 5, 6
- 03/26/2015 EVT0003608 Maintenance – Wildlife Habitat
- 04/02/2015 EVT0003603 Medicare Supplemental Insurance Coverage
- 04/07/2015 EVT0003618 COBRA Administration Services

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

<http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations>

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

<http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations>

- 03/19/2015 A-012768 La Crosse Salt Cone Reroof at La Crosse
- 03/24/2015 A-012565 Larned Subarea Modernization at Larned
- 03/24/2015 A-012769 Lyons Salt Cone Reroof at La Crosse
- 04/04/2015 A-012361 Supply Bldg. Upgrade Fire Sprinkler System at Larned State Hospital

Information regarding prequalification, projects and bid documents can be obtained by calling 785-296-8899 or online at <http://admin.ks.gov/offices/ofpm/dcc>.

Tracy T. Diel, Director
Procurement and Contracts

Doc. No. 043357

State of Kansas

Advisory Committee on Trauma

Notice of Meeting

The Advisory Committee on Trauma will meet from 10 a.m. to 3 p.m. Monday, March 16, at the Kansas Medical Society, 623 S.W. 10th Ave., Topeka.

Susan Mosier, M.D.
Acting Secretary of Health
and Environment

Doc. No. 043350

State of Kansas

Kansas Insurance Department

Notice of Hearing on Proposed
Administrative Regulation

A public hearing will be conducted at 1:30 p.m. Monday, May 11, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of a proposed rule and regulation.

The 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Diane Minear, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678, via facsimile at 785-291-3190 or via email at dminear@ksinsurance.org. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

A summary of the proposed regulation and its economic impact follows:

K.A.R. 40-4-29a. Same; renewability of individual hospital, medical, or surgical expense policy. This regulation would update the notice required to be sent to individuals turning 65 or becoming Medicare eligible. The new notice would be available to insurance companies on the department's website.

Because current practice is consistent with this amendment, there is no economic impact on health insurers.

Similarly, there will be no economic impact on the Kansas Insurance Department, consumers, small businesses or other governmental agencies.

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 Diane Minear at 785-296-2676 or dminear@ksinsurance.org. Any individual desiring a copy of the regulation and/or the policy and procedure that is being adopted by reference, if applicable, may obtain a copy from the department's website, www.ksinsurance.org (under the Legal Issues link), or by contacting Diane Minear. The charge for copies is 50 cents per page.

Ken Selzer
Kansas Insurance Commissioner

Doc. No. 043356

State of Kansas

Office of the Governor

Executive Order 15-03

Creating the Social Services Policy Council

WHEREAS, the economic well-being of the great State of Kansas and the growth of liberty and economic opportunities for all citizens of Kansas are major priorities of this Administration; and

WHEREAS, between 2011 and present, numerous and various efforts have been made to support Kansas families, especially those who are at or below the poverty level, including those most in need of social services; and

WHEREAS, it is in the best interest of the State of Kansas that the Governor receive high-quality advice on an ongoing basis regarding State, regional, and national conditions, programs, initiatives and concepts relating to improving the social service policies and decreasing the poverty rate in Kansas; and

WHEREAS, the establishment of a Governor's Social Services Policy Council will provide an effective and efficient mechanism for the Governor to obtain advice on a broad range of matters to improve the social service policies and continue the decrease in poverty levels in Kansas;

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby establish the Governor's Social Services Policy Council ("the Council"). The Council shall report directly to the Governor. The Council shall consist of a Chairperson, so designated by the Governor, and between seven (7) and thirteen (13) other members appointed by the Governor. Neither the Chair nor any other member shall have a fixed term and all members shall serve at the pleasure of the Governor. The Chair shall establish such rules of operation as the Council may require. The Council shall analyze and advise the Governor on issues concerning social services policies and conditions in Kansas, and methods to reduce the poverty rate and improve those social services in Kansas to better help Kansans who need those services to improve their individual circumstances. The Council shall meet upon the request of the Governor or the Chair, but shall not meet less frequently than two (2) times each year. On request and to the extent necessary, the Council shall receive staff support from and shall office within the Department for Children and Families utilizing only existing Department for Children and Families resources. All state entities under my jurisdiction are directed to fully cooperate with the Council, including providing such information as the Council may deem necessary and may request in furtherance of its duties.

This document shall be filed with the Secretary of State as Executive Order No. 15-03 and shall become effective immediately. The Governor's Social Services Policy Council shall continue until January 7, 2019 unless further action is taken to extend the Council.

Dated February 20, 2015.

Sam Brownback
Governor

Doc. No. 043349

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. 2014 Supp. 12-1675(b)(c)(d) and K.S.A. 2014 Supp. 12-1675a(g).

Effective 3-2-15 through 3-8-15

Term	Rate
1-89 days	0.09%
3 months	0.04%
6 months	0.09%
12 months	0.28%
18 months	0.46%
2 years	0.64%

Scott Miller
Director of Investments

Doc. No. 043346

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced February 19-25 by the 2015 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, 785-296-4096. Full texts of bills, bill tracking and other information may be accessed at <http://www.kslegislature.org/li/>.

House Bills

HB 2376, AN ACT concerning the emergency medical services board; imposition of fines; investigation authority; issuance of subpoenas; amending K.S.A. 65-6130 and K.S.A. 2014 Supp. 65-6111 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2377, AN ACT concerning property taxation; providing for a property tax averaging payment plan and a property tax installment payment plan; amending K.S.A. 2014 Supp. 79-2004 and repealing the existing section, by Committee on Taxation.

HB 2378, AN ACT concerning schools; establishing the Kansas legislature award for teaching excellence program, by Committee on Appropriations.

HB 2379, AN ACT concerning taxation; relating to subtraction modifications, net gain from the sale of business assets; amending K.S.A. 2014 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2380, AN ACT concerning the regional system of cooperating libraries; amending K.S.A. 2014 Supp. 75-2550 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2381, AN ACT concerning social welfare; Kansas department for children and families; eligibility requirements for assistance; amending K.S.A. 17-2263, 17-5828, 39-709b, 59-1301 and 59-3504 and K.S.A. 2014 Supp. 9-1215, 9-1216, 16-311, 17-2264, 17-5829, 39-702, 39-709, 39-709c, 39-753, 39-756a, 59-2222, 59-2247, 59-2801 and 59-3086 and repealing the existing sections; also repealing K.S.A. 39-7,101, 39-7,106, 39-7,107, 39-7,110 and 75-5364 and K.S.A. 2014 Supp. 39-7,102, 39-7,103, 39-7,104, 39-7,105, 39-7,108, 39-7,109 and 39-7,122, by Committee on Federal and State Affairs.

HB 2382, AN ACT concerning the department of corrections; relating to juveniles in custody; placement; amending K.S.A. 2014 Supp. 38-2366 and repealing the existing section, by Committee on Appropriations.

HB 2383, AN ACT creating the Kansas charitable raffle act; amending K.S.A. 2014 Supp. 21-6403 and 79-3603 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2384, AN ACT enacting the rule of law restoration act, by Committee on Federal and State Affairs.

HB 2385, AN ACT concerning alcoholic beverages; relating to temporary permits for the Kansas state fair; amending K.S.A. 2014 Supp. 41-2645 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2386, AN ACT relating to the interstate compact for recognition of emergency personnel licensure, by Committee on Federal and State Affairs.

HB 2387, AN ACT concerning emergency medical services; amending K.S.A. 2013 Supp. 65-6112, as amended by section 51 of chapter 131 of the 2014 Session Laws of Kansas, and K.S.A. 2014 Supp. 65-6102, 65-6111, 65-6120, 65-6121, 65-6129b, 65-6129c, 65-6133, 65-6135 and 65-6144 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2388, AN ACT concerning taxation; relating to sales taxation; exemptions; helping hands humane society, inc.; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2389, AN ACT concerning income taxation; relating to certain net operating losses; amending K.S.A. 2014 Supp. 79-32,143 and repealing the existing section, by Committee on Taxation.

HB 2390, AN ACT concerning the highway advertising control act; amending K.S.A. 2014 Supp. 68-2232, 68-2233 and 68-2234 and repealing the existing sections, by Committee on Taxation.

HB 2391, AN ACT concerning state employees; relating to classified and unclassified service; longevity bonus payments; leave sharing program; amending K.S.A. 75-5549 and K.S.A. 2014 Supp. 75-2935 and 75-5541 and repealing the existing sections, by Committee on Appropriations.

HB 2392, AN ACT concerning income taxation; relating to certain modifications of Kansas adjusted gross income relative to passive income; amending K.S.A. 2014 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2393, AN ACT concerning schools; relating to GASB accounting standards; relating to accounting systems; relating to the Kansas uniform financial accounting and reporting act; concerning financial publication requirements; authorizing annual compliance audits; providing penalties for noncompliance; amending K.S.A. 75-1120a and K.S.A. 2014 Supp. 72-8254 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2394, AN ACT concerning schools; relating to career technical education awards; amending K.S.A. 2014 Supp. 72-4489 and repealing the existing section, by Committee on Appropriations.

HB 2395, AN ACT concerning state building projects; relating to negotiating committees; relating to the alternative procurement; amending K.S.A. 2014 Supp. 75-1253 and 75-37,143 and repealing the existing sections, by Committee on Appropriations.

House Resolutions

HR 6014, by Representative Hawkins, A RESOLUTION recognizing the 44th Wichita Riverfest.

Senate Bills

SB 254, AN ACT concerning the behavioral sciences regulatory board; amending K.S.A. 65-5802, 65-5806, 65-5808, 65-6306, 65-6314, 65-6319, 65-6402, 65-6407, 65-6408, 65-6411, 74-5302, 74-5311, 74-5318, 74-5322, 74-5361, 74-5363, 74-5365 and 74-5370 and K.S.A. 2014 Supp. 65-5804a, 65-5807, 65-5809, 65-6309, 65-6311, 65-6313, 65-6404, 65-6405, 65-6406, 65-6412, 65-6608, 65-6609, 65-6610, 65-6611, 65-6613, 65-6614, 65-6615, 65-6618, 74-5310, 74-5315, 74-5316, 74-5324, 74-5367, 74-5369, 74-5375, 74-7507 and 74-7508 and repealing the existing sections; also repealing K.S.A. 74-5319, 74-5320, 74-5321, 74-5325, 74-5326, 74-5327, 74-5328, 74-5332, 74-5333, 74-5334, 74-5336 and 74-5338 and K.S.A. 2014 Supp. 65-5815, 65-6619 and 74-5337, by Committee on Ways and Means.

SB 255, AN ACT concerning sales of cigarettes and tobacco products; relating to the directory and certification of tobacco product manufacturers; relating to disclosure of information and criminal penalties therefor; amending K.S.A. 50-6a02 and K.S.A. 2014 Supp. 50-6a04, 50-6a07, 50-6a10, 50-6a11, 50-6a16 and 75-5133 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 256, AN ACT concerning social welfare; Kansas department for children and families; eligibility requirements for assistance; amending K.S.A. 17-2263, 17-5828, 39-709b, 59-1301 and 59-3504 and K.S.A. 2014 Supp. 9-1215, 9-1216, 16-311, 17-2264, 17-5829, 39-702, 39-709, 39-709c,

39-753, 39-756a, 59-2222, 59-2247, 59-2801 and 59-3086 and repealing the existing sections; also repealing K.S.A. 39-7,101, 39-7,106, 39-7,107, 39-7,110 and 75-5364 and K.S.A. 2014 Supp. 39-7,102, 39-7,103, 39-7,104, 39-7,105, 39-7,108, 39-7,109 and 39-7,122, by Committee on Federal and State Affairs.

SB 257, AN ACT concerning property tax; relating to exemptions; providing a ten-year limitation on exemption for property used for renewable energy resources or technologies; amending K.S.A. 2014 Supp. 79-201 and repealing the existing section, by Committee on Assessment and Taxation.

SB 258, AN ACT repealing K.S.A. 2014 Supp. 79-201x; eliminating property tax exemption from statewide school levy for property used for residential purposes to the extent of \$20,000 of its appraised valuation, by Committee on Assessment and Taxation.

SB 259, AN ACT concerning personal property taxation; relating to motor vehicles; computation of amount of tax; state school district ad valorem tax levy; amending K.S.A. 79-5105 and repealing the existing section, by Committee on Assessment and Taxation.

SB 260, AN ACT concerning income taxation; relating to certain modifications of Kansas adjusted gross income relative to passive income; amending K.S.A. 2014 Supp. 79-32,117 and repealing the existing section, by Committee on Assessment and Taxation.

SB 261, AN ACT concerning sales taxation; relating to gas, electricity, heat and other fuel sources for production of heat and lighting for residential premises and agricultural use; imposing state sales tax thereon; amending K.S.A. 2014 Supp. 79-3603 and repealing the existing section, by Committee on Assessment and Taxation.

SB 262, AN ACT concerning charitable gaming; establishing the charitable gaming act; amending K.S.A. 2014 Supp. 21-6403 and 79-3603 and repealing the existing sections; also repealing K.S.A. 79-4702 and 79-4715 and K.S.A. 2014 Supp. 79-4701, 79-4701a, 79-4703, 79-4704, 79-4705, 79-4705a, 79-4706, 79-4707, 79-4708, 79-4710, 79-4711, 79-4712a, 79-4713, 79-4716, 79-4717, 79-4718 and 79-4719, by Committee on Federal and State Affairs.

SB 263, AN ACT concerning sales taxation; providing for sales tax exemption for certain sales of fresh fruit and vegetables; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 264, AN ACT concerning sales taxation; eliminating the sales tax exemptions for farm machinery and equipment; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 265, AN ACT concerning hospitals; relating to designated lay caregivers; duties; policies and procedures, by Committee on Ways and Means.

SB 266, AN ACT concerning landlords and tenants; relating to the residential landlord and tenant act; amending K.S.A. 58-2543 and repealing the existing section, by Committee on Federal and State Affairs.

SB 267, AN ACT concerning certain crimes; relating to fantasy sports leagues; amending K.S.A. 2014 Supp. 21-6403 and repealing the existing section, by Committee on Federal and State Affairs.

SB 268, AN ACT concerning water; relating to stream maintenance and obstructions; amending K.S.A. 32-1012 and K.S.A. 2014 Supp. 82a-301 and 82a-307 and repealing the existing sections, by Committee on Ways and Means.

SB 269, AN ACT concerning wildlife; relating to the nongame and endangered species conservation act; amending K.S.A. 32-960 and repealing the existing section, by Committee on Ways and Means.

Senate Resolutions

SR 1718, by Senators O'Donnell, Donovan, Faust-Goudeau, Kerschen, Masterson, McGinn, Petersen and Wagle, A RESOLUTION recognizing the 44th Wichita Riverfest.

SR 1719, by Senators Faust-Goudeau, Bowers, Hensley and O'Donnell, A RESOLUTION commending the firefighters of Kansas for their selfless service and observing the month of October as Firefighter Appreciation Month.

SR 1720, by Senators Tyson and Melcher, A RESOLUTION commemorating the 150th Anniversary of Ottawa University in Ottawa, Kansas.

Doc. No. 043347

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-15-091/097

Pending Permits for Confined Feeding Facilities

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Steven L. & Jessie M. Macke, S/2 of Section 23, T02S, R11E, Nemaha County, Missouri River Basin.

This is a new permit for an existing facility for 999 head (999 animal units) of beef cattle weighing greater than 700 pounds. Four additional pens will be constructed on the north side of the existing pens. Runoff drainage from the proposed pens will be directed to the existing wastewater control system.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Kinsley Feeders, LLC, All of Section 13, T25S, R19W, Edwards County, Upper Arkansas River Basin.

This is a permit modification and reissuance for an expanding facility with the proposed maximum capacity of 36,000 head (36,000 animal units) of cattle weighing greater than 700 pounds. This represents an increase of 5,000 animal units from the previous permit. The facility currently encompasses approximately 264.4 acres. The waste management system includes drainage channels, 9 sediment basins and 14 earthen retention control structures. The facility is proposing to construct approximately 5.0 acres of open lot pens, and modify an existing drainage channel and sediment basin channel. This facility has an approved Nutrient Management Plan on file with KDHE.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: David Clawson, SW/4 of Section 18, T33S, R30W, Meade County, Cimarron River Basin.

This permit is being reissued for a confined animal feeding operation for 5,900 head (8,250 animal units) of mature dairy cattle, 2,250 head (2,250 animal units) of dairy cattle weighing greater than 700 pounds and 3,225 head (1,612.5 animal units) of dairy cattle weighing less than 700 pounds. The permit contains modifications for additional runoff controls for the feed storage areas and an expansion of 59.5 acres of open lots, sediment basins and waste storage pond. This facility has an approved Nutrient Management Plan on file with KDHE.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Nick Hatcher, SW/4 of Section 26, T34S, R34W, Seward County, Cimarron River Basin.

This is a modification and reissuance of the permit. A portion of the existing pens is being regarded to drain to the runoff control system. The permittee is proposing to add 1,320 head of cattle weighing less than 700 pounds to the existing 2,000 head, for a total of 3,320 head or 1,660 animal units. The areal extent of the facility will remain unchanged.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Rano Gruber, NE/4 of Section 11, T16S, R03E, Dickinson County, Smoky Hill River Basin.

A permit is being reissued to the existing confined animal feeding facility for 558 head (223.2 animal units) of swine weighing more than 55 pounds and 360 head (36 animal units) of swine weighing 55 pounds. The animal unit capacity has not changed since the previous permit.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Dwight L. Meuli, SW/4 of Section 11, T15S, R02E, Dickinson County, Smoky Hill River Basin.

A permit is being reissued to the existing confined animal feeding facility for 450 head (225 animal units) of cattle weighing less than 700 pounds. The animal unit capacity has not changed since the previous permit.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Neumann - Wheatley Farms, Inc., SW/4 of Section 01, T29S, R12W, Pratt County, Lower Arkansas River Basin.

This is a permit reissuance for an existing facility for 900 head (900 animal units) of cattle weighing greater than 700 pounds. There is no change in the permitted animal units from the previous permit.

Public Notice No. KS-Q-15-010/013

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:

Table with 3 columns: Name and Address of Applicant, Receiving Stream, Type of Discharge. Row 1: Bayer Construction Company, Inc., Smoky Hill River via Unnamed Tributary, Pit Dewatering & Stormwater Runoff.

Facility Name: Kansas Falls Quarry – South Quarry

The proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. This is a limestone quarrying and crushing operation with no washing. Outfalls 001A1, 002A1, 003A1 and 004A1 consist of pit dewatering and stormwater runoff that rarely discharges. The proposed permit requires monitoring for total suspended solids and sulfates.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Bayer Construction Company, Inc. P.O. Box 889 Manhattan, KS 66505	Smoky Hill River	Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-SH04-PO02 Federal Permit No. KS0001813

Legal Description: S25, T12S, R4E, Geary County, KS

Facility Name: Kansas Falls Quarry – North Quarry

The proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. This is a limestone quarrying and crushing operation with washing. Outfall 001A1 consists of treated washwater, using three settling ponds in series and stormwater runoff. Outfall 002A1 consists of pit dewatering and stormwater runoff. The proposed permit contains limits for total suspended solids and monitoring for sulfates.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Chanute, City of 900 S. Katy Chanute, KS 66720	Neosho River	Process Wastewater

Kansas Permit No. I-NE11-PO07 Federal Permit No. KS0098621

Legal Description: NW¼, NE¼, S28, T27S, R18E, Neosho County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for a discharge of wastewater from a public water supply treatment facility. This is a potable water treatment plant consisting of two presedimentation basins, three clarifiers, two flocculator basins, two secondary settling basins, six filters, two clearwells, washwater holding basin, numerous pumps and chemical storage tanks, and a two-cell lagoon system. The proposed permit contains limits for total residual chlorine, total suspended solids and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Westphalia, City of P.O. Box 202 Westphalia, KS 66093	Pottawatomie Creek via Cherry Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-MC49-OO01 Federal Permit No. KS0082996

Legal Description: SW¼, S26, T21S, R17E, Anderson County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing 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-EG-15-004

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the wells described below within the state of Kansas:

Name and Address of Applicant

Koch Nitrogen Company, LLC
P.O. Box 1337
Dodge City, KS 67801
Facility Name: Koch Nitrogen Company, LLC
Facility Location: Dodge City, Kansas

Well & Permit Number

#2 / KS-01-057-001 N 37° 46.174', W 99°, 56.254', Ford County, Kansas

#3 / KS-01-057-002

N 37°, 46.878', W 99°, 56.541', Ford County, Kansas

Facility Description: The proposed action is to reissue two existing Class I Injection Well permits. The injection fluids will consist of cooling tower blow down, boiler blow down, demineralized water train regeneration water, recovered groundwater, laboratory wastewater, stormwater, water from plant condensate, and floor drains; wastewater from the Liquid Carbonic plant; and drainage from the Praxair CO2 plant. Injection is into the Arbuckle formation. Injection is made from a depth of 5,829 to 6,524 feet in DW-3. Disposal will be by means of gravity flow; wellhead pressure will not be allowed. The maximum rate of injection will be 864,000 gallons per day for each well. All construction, monitoring and operation of these wells shall meet the requirements that apply to Class I injection wells under the Kansas UIC regulations, K.A.R. 28-46-1 through 28-46-44, and other requirements of KDHE.

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 April 4 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-15-091/097, KS-Q-15-010/013, KS-EG-15-004) 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.

Susan Mosier, M.D.
Acting Secretary of Health and Environment

Doc. No. 043351

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, March 19, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the K DFA to issue its Agricultural Development Revenue Bonds for the projects numbered below in the respective maximum principal amounts. The bonds will be issued to assist the borrowers named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The projects shall be located as shown:

Project No. 000917 – Maximum Principal Amount: \$216,500. Owner/Operator: Alex Hajek. Description: Acquisition of 156 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Alex Hajek and is located at Section 13, Colfax Township, & Section 19, Lost Springs Township, Marion County, Kansas, approximately 4 miles west of Lost Springs on 340th St.

Project No. 000918 – Maximum Principal Amount: \$264,500. Owner/Operator: Kyle L. & Emily A. Taylor. Description: Acquisition of 214 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Kyle L. & Emily A. Taylor and is located at: Tract 1 – the West Half of the Southwest Quarter of Section 31, Township 13, Range 4, located south of Chapman, Kansas, on 1800 Ave., .5 mile west of Rain Road; and Tract 2 – West Half of Section 7, Township 14, Range 4, located south of Chapman, Kansas, on 1900 Ave., .75 mile west of Rain Road, both tracts in Dickinson County, Kansas.

The bonds, when issued, will be a limited obligation of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, nor will they be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bonds will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become due.

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue the bonds to finance the projects, and all written comments previously filed with the K DFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the projects may be obtained by contacting the K DFA.

Tim Shallenburger
President

Doc. No. 043358

State of Kansas

Department of Agriculture
Division of ConservationNotice of Authorization to Proceed with
On-Call Engineering Services

The Watershed Institute has been identified as a qualified entity to provide certain on-call engineering services to the Kansas Department of Agriculture, Division of Conservation. Pursuant to its current "Agreement for On-Call Engineering Services" with The Watershed Institute, the Kansas Department of Agriculture, Division of Conservation issued a "1st Amendment" and notice of authorization to proceed for the Delaware River Phase III Streambank Stabilization and Restoration Project, Muscotah Group. The "1st Amendment" and authorization to proceed was issued February 25, 2015, on a total bid price of \$8,675.

Additional information about the Division of Conservation's Streambank Restoration Program is available by contacting Steve Frost, program administrator, at 785-564-6622 or steve.frost@kda.ks.gov.

Greg A. Foley
Executive Director
Division of Conservation

Doc. No. 043355

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the KDOT website at <http://www.ksdot.org/burconsmain/contracts/proposal.asp>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid not later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject the bid. The secretary of transportation reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2007 edition of the Kansas Department of Transportation's *Standard Specifications for State Road and Bridge Construction*.

KDOT will only accept electronic proposals using the Bid Express website at <http://www.bidx.com> until 1 p.m. local time March 25, 2015. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 S.W. Harrison, Topeka, at 1:30 p.m. local time March 25, 2015. An audio broadcast of the bid letting is available at <http://www.ksdot.org/burconsmain/audio.asp>.

Each bidder shall certify that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted

bid. This certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid nonresponsive and not eligible for award consideration.

District One — Northeast

Brown—73-7 KA-3040-01 — Intersection of U.S. 73 (Central Ave.) and K-20 (15th Street), intersection improvement. (State Funds)

Brown—36-7 KA-4019-01 — U.S. 36/U.S. 73/U.S. 159 interchange, lighting, 0.5 mile. (Federal Funds)

Leavenworth—73-52 KA-3529-02 — U.S. 73, from 290 feet south of the north junction of U.S. 73/K-92 west to 100 feet west of the U.S. 73/16th Avenue intersection, pavement reconstruction, 1.6 miles. (Federal Funds)

Marshall—36-58 KA-2860-01 — U.S. 36, culvert #551 (Snipe Creek drainage) located 2.37 miles east of U.S. 36/K-99, grading and culvert. (State Funds)

Riley—18-81 KA-0410-11 — K-18, located left of the cross road pipe at Station 725+00, 0.5 mile west of K-18/Miller Davis interchange, grading. (State Funds)

Riley—24-81 KA-2186-01 — U.S. 24, north junction of U.S. 24/K-13 south to east junction of U.S. 24/K-177, milling and overlay, 5.6 miles. (State Funds)

Riley—24-81 KA-2609-01 — Intersection of U.S. 24 and Leavenworth, intersection improvement, 0.1 mile. (State Funds)

Statewide—50-106 KA-1827-10 — U.S. 50, from the existing passing lanes east of the Chase/Lyon county line, east for 0.8 mile in Lyon County and west for 0.5 mile in Chase County, grading and surfacing, 1.6 miles. (Federal Funds)

District Two — North Central

Chase—50-9 KA-1827-08 — U.S. 50, from 1.3 miles east of U.S. 50/K-177 junction (east end on 4-lane section in Strong City) east for 2.0 miles, grading and surfacing, 2.0 miles. (Federal Funds)

Chase—50-9 KA-1827-09 — U.S. 50, from 3.3 miles east of U.S. 50/RS-856 junction east for 1.4 miles, grading and surfacing, 1.4 miles. (Federal Funds)

Jewell—28-45 KA-2864-01 — K-28, culvert #510 (Buffalo Creek drainage) located 5.68 miles east of K-14, grading and culvert. (State Funds)

McPherson—260-59 KA-2071-01 — Bridge #107, 1.53 miles west of the south junction of K-260/I-135, bridge replacement. (Federal Funds)

Mitchell—181-62 KA-2072-01 — K-181, bridge #032 and culvert #521 located 0.90 mile north and 0.88 mile north of the Mitchell/Lincoln county line (Bacon Creek and Bacon Creek drainage), bridge replacement. (Federal Funds)

Mitchell—K-181-62 KA-4073-01 — K-181, state milepost 30.0, 5.0 miles west and north of Hunter, slide repair, 0.2 mile. (State Funds)

Saline—85 KA-4134-01 — K-4, from the K-4/RS-594/Old 81 junction north to the K-4/K-104 junction; K-104, from the K-104/K-4 junction north and west to the I-135/K-104 junction, 3-inch overlay, 4.3 miles. (State Funds)

District Three — Northwest

Norton—36-69 KA-2614-01 — U.S. 36 from Brown Street to approximately 300 feet west of U.S. 283, grading and surfacing, 0.4 mile. (State Funds)

Trego—70-98 KA-4119-01 — I-70, bridge #003 located 2.01 miles east of the I-70/K-198 junction, bridge repair. (State Funds)

Trego—70-98 KA-4120-01 — I-70, bridge #009 located at the west junction of I-70/US-283 (eastbound lanes), bridge repair. (State Funds)

District Four — Southeast

Anderson—59-2 KA-2094-01 — U.S. 59, bridge #007 located 3.17 miles north of north junction K31 (Pottawatomie Creek), bridge replacement. (Federal Funds)

Chautauqua—166-10 KA-3991-01 — U.S. 166, bridge #019 located 11.39 miles east of the east junction of U.S. 166/K-9 (Little Caney River), bridge repair. (State Funds)

Montgomery—75-63 KA-3049-01 — U.S. 75 from 9th and Chestnut to 10th and Laurel, intersection improvement, 0.1 mile. (State Funds)

Wilson—400-103 KA-2375-07 — U.S. 400, from 4.0 miles south and east of U.S. 400/K-47 junction, southeast for 2.5 miles, grading and surfacing, 2.5 miles. (Federal Funds)

Wilson—400-103 KA-3259-01 — U.S. 400, from the U.S. 400/K-47 junction east to the Wilson/Montgomery county line, milling and overlay, 12.8 miles. (State Funds)

District Five — South Central

Cowley—166-18 KA-3855-01 — U.S. 166, bridge #088 (over Grouse Creek) located 11.34 miles east of the U.S. 166/U.S. 77 junction, bridge repair. (State Funds)

Cowley—15-18 KA-3856-01 — K-15, bridge #059 (over Walnut River), located 1.37 miles west of the north junction of US-77/K-15, bridge repair. (State Funds)

Harvey—50-40 KA-1827-03 — U.S. 50, from 0.3 mile east of the Reno/Harvey county line east for 1.1 miles to the existing 4-lane section in Burrton, grading and surfacing, 1.1 miles. (Federal Funds)

Harvey—50-40 KA-1827-04 — U.S. 50, from the existing 4-lane section in Burrton east for 1.3 miles, grading, bridge and surfacing, 1.3 miles. (Federal Funds)

Reno—50-78 KA-1827-02 — U.S. 50, from 0.2 mile east of the U.S. 50/RS-306/RS-1809 junction east for 1.25 miles, grading and surfacing, 1.3 miles. (Federal Funds)

Sedgwick—54-87 KA-4084-01 — U.S. 54, bridge #353 on U.S. 43 and West Street in Wichita, bridge repair. (State Funds)

District Six — Southwest

Gray—56-35 KA-2216-01 — U.S. 56, from west city limits of Ensign east to east city limits of Ensign, pavement reconstruction, 1.1 miles. (Federal Funds)

Gray—56-35 KA-2217-01 — U.S. 56, from west city limits of Montezuma east to east city limits of Montezuma, pavement reconstruction, 1.1 miles. (Federal Funds)

Mike King
Secretary of Transportation

Doc. No. 043334

(Published in the Kansas Register March 5, 2015.)

North Central Regional Planning Commission

Request for Proposals

Proposals for gas masks will be accepted by the North Central Regional Planning Commission, 109 N. Mill St., Beloit, KS 67420, until 4 p.m. Thursday, March 19, 2015, at which time they will be publicly opened and read aloud at the same address. Copies of the Request for Proposals and project specifications can be accessed by going to <http://procurement.ncrpc.org/HS/projects.html> or by contacting the NCRPC at 785-738-2218 or lcpeeters@nckcn.com. This action is being taken on behalf of the South Central Kansas Regional Homeland Security Council. The estimated project value exceeds \$20,000.

Lisa Peters
Homeland Security Clerk

Doc. No. 043352

(Published in the Kansas Register March 5, 2015.)

North Central Regional Planning Commission

Request for Proposals

Proposals for a RATT Team Trailer will be accepted by the North Central Regional Planning Commission, 109 N. Mill St., Beloit, KS 67420, until 4 p.m. Monday, March 16, 2015, at which time they will be publicly opened and read aloud at the same address. Copies of the Request for Proposals and project specifications can be accessed by going to <http://procurement.ncrpc.org/HS/projects.html> or by contacting the NCRPC at 785-738-2218 or lcpeeters@nckcn.com. This action is being taken on behalf of the Northeast Kansas Regional Homeland Security Council. The estimated project value exceeds \$25,000.

Lisa Peters
Homeland Security Clerk

Doc. No. 043353

State of Kansas

Board of Barbering

Permanent Administrative Regulations

Article 3.—SCHOOLS; REQUIREMENTS

61-3-7. Minimum requirements for opening a barber school or barber college. (a) Each approved barber school or barber college shall have at least 10 students enrolled and at least 2,500 square feet of floor space available before opening. If the barber school or barber college is located in a building in which another entity operates a business or school that conducts or teaches anything other than barbering as defined in K.S.A. 65-1809 and amendments thereto, the barber school or barber college shall have a separate entrance and shall be completely separate within that building, except as provided in subsection (b).

Each barber school or barber college shall have at least two rooms accessible to its students at all times. One room shall be used for class study, examinations, and lectures, and the other room shall be used for practical demonstrations. The barber school or barber college shall provide two restrooms, which shall be kept in a sanitary condition. Each room shall be equipped to meet the requirements of all applicable regulations of the Kansas state board of barbering.

(b) Any barber school or barber college that shares a building in which another entity operates a business or school that conducts or teaches anything other than barbering may share the following facilities with that entity:

(1) Classrooms other than the clinic floor, if no classroom is used by both the entity and the barber school or barber college at the same time;

(2) restrooms; and

(3) common areas, including reception areas, lounges, and hallways. (Authorized by K.S.A. 65-1825a, K.S.A. 2014 Supp. 74-1806; implementing K.S.A. 65-1810; effective Jan. 1, 1966; amended May 1, 1988; amended March 20, 2015.)

61-3-22. Schools ineligible for a permit to operate a barber school or barber college. No correspondence school shall be granted a permit to establish or operate a barber school or barber college. (Authorized by K.S.A. 65-1825a, K.S.A. 2014 Supp. 74-1806; implementing K.S.A. 65-1810; effective Jan. 1, 1966; amended May 1, 1988; amended March 20, 2015.)

Bob Zook
Administrative Officer

Doc. No. 043354

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 16.—WATER POLLUTION CONTROL

28-16-28b. Definitions. As used in K.A.R. 28-16-28b through 28-16-28g, each of the following terms shall have the meaning specified in this regulation: (a) "Alluvial aquifer" means the sediment that is associated with and deposited by a stream and that contains water capable of being produced from a well.

(b) "Alternate low flow" means a low flow value, which is an alternate to the 7Q10 flow, that is based seasonally, hydrologically, or biologically, or a low flow determined through a water assurance district. Wherever used in this regulation in the context of mixing zones, the term shall refer to a minimum amount of streamflow occurring immediately upstream of a wastewater discharge and available, in whole or in part, for dilution and assimilation of wastewater discharges.

(c) "Antidegradation" means the regulatory actions and measures taken to prevent or minimize the lowering of water quality in surface waters of the state, including those streams, lakes, and wetlands in which existing wa-

ter quality exceeds the level required for maintenance and protection of the existing uses.

(d) "Artificial sources" means sources of pollution that result from human activities and that can be abated by construction of control structures, modification of operating practices, complete restraint of activities, or any combination of these methods.

(e) "Background concentration" means the concentration of any elemental parameter listed in tables 1a, 1b, 1c, 1d, and 1e of the "Kansas surface water quality standards: tables of numeric criteria," which is adopted by reference in K.A.R. 28-16-28e, or any elemental substance meeting the definition of pollutant in this regulation, that occurs in a surface water immediately upstream of a point source or nonpoint source under consideration and is from natural sources. The list of background concentration determinations for classified waterbodies of the state is contained in table 1h of the "Kansas surface water quality standards: tables of numeric criteria."

(f) "Base flow" means that portion of a stream's flow contributed by sources of water other than precipitation runoff. Wherever used in this regulation in the context of stream classification, the term shall refer to a fair weather flow sustained primarily by springs or groundwater seepage, wastewater discharges, irrigation return flows, releases from reservoirs, or any combination of these factors.

(g) "Bioaccumulation" means the accumulation of toxic substances in plant or animal tissue through either bioconcentration or biomagnification.

(h) "Bioassessment methods and procedures" means the use of biological methods of assessing surface water quality, including field investigations of aquatic organisms and laboratory or field aquatic toxicity tests.

(i) "Bioconcentration" means the concentration and incorporation of toxic substances into body tissues from ambient sources.

(j) "Biomagnification" means the transport of toxic substances through the food chain through successive cycles of eating and being eaten and through the subsequent accumulation and concentration of these substances in higher-order consumers and predators.

(k) "Biota" means the animal and plant life and other organisms of a given geographical region.

(l) "Carcinogenic" means having the property of inducing the production of cancerous cells in organisms.

(m) "Classified surface water" means any surface water or surface water segment that supports or, in the absence of artificial sources of pollution, would support one or more of the designated uses of surface water defined in K.A.R. 28-16-28d or K.S.A. 82a-2001, and amendments thereto, and that meets the criteria for classification given in K.A.R. 28-16-28d.

(n) "Compliance schedule" means any provision in a discharge permit, license, or enforceable order issued by the department pursuant to the federal clean water act or K.S.A. 65-165 et seq., and amendments thereto, that, for the purposes of meeting water quality-based effluent limitations, technology-based limits, and effluent limitations determined by the secretary or specified in Kansas statutes and regulations, provides a specified period of time for the construction or renovation of a wastewater treat-

ment facility and the completion of any related scientific or engineering studies, reports, plans, design specifications, or other submittals required by the department.

(o) "Condition of acute toxicity" means any concentration of a toxic substance that exceeds the applicable acute criterion for aquatic life support specified in K.A.R. 28-16-28e or, for substances not listed in K.A.R. 28-16-28e or for mixtures of toxic substances, any concentration that exceeds 0.3 acute toxic units (TU_a), where one TU_a is equal to 100 divided by the median lethal concentration (LC_{50}). The concentration at which acute toxicity exists shall be determined through laboratory toxicity tests conducted in accordance with the EPA's "methods for measuring the acute toxicity of effluents and receiving waters to freshwater and marine organisms."

(p) "Condition of chronic toxicity" means any concentration of a toxic substance that exceeds the applicable chronic criterion for aquatic life support specified in K.A.R. 28-16-28e or, for substances not listed in K.A.R. 28-16-28e or for mixtures of toxic substances, any concentration that exceeds 1.0 chronic toxic unit (TU_c), where one TU_c is equal to 100 divided by inhibition concentration 25 (IC_{25}). The concentration at which chronic toxicity exists shall be determined through laboratory toxicity tests conducted in accordance with the EPA's "short-term methods for estimating the chronic toxicity of effluents and receiving waters to freshwater organisms."

(q) "Criterion" means any numerical element or narrative provision that represents an enforceable water quality condition specified in K.A.R. 28-16-28b through 28-16-28g.

(r) "Critical low flow" means the minimum amount of streamflow immediately upstream of a point source discharge that will be used to calculate the quantity of pollutants that the point source discharge may be permitted to discharge without exceeding water quality criteria specified in K.A.R. 28-16-28b through 28-16-28g. The critical low flow may be the 7Q10 flow or the alternate low flow as defined in this regulation.

(s) "Department" means Kansas department of health and environment.

(t) "Designated use" means any of the uses specifically attributed to surface waters of the state in K.A.R. 28-16-28d or K.S.A. 82a-2001, and amendments thereto.

(u) "Digression" means an actual ambient concentration of a pollutant that does not meet the numeric criteria value for that pollutant.

(v) "Discharge" means the release of effluent, either directly or indirectly, into surface waters of the state.

(w) "Discharge design flow" means either of the following:

(1) The anticipated wastewater flow for the next permit cycle determined by the department for an industrial wastewater treatment facility, as defined in K.A.R. 28-16-56c; or

(2) the wastewater treatment capacity of a facility approved by the secretary for other wastewater treatment facilities or systems.

(x) "Duration of digression" means the period of time over which pollutant concentrations can be averaged, in-

(continued)

cluding the time span during which aquatic life can be exposed to elevated levels of pollutants without harm.

(y) "Ecological integrity" means the natural or unimpaired structure and functioning of an aquatic or terrestrial ecosystem.

(z) "Effluent" means the sewage or other wastewater discharged from an artificial source.

(aa) "EPA" means United States environmental protection agency.

(bb) "*Escherichia coli*" means a subset of the coliform group that is part of the normal intestinal flora in humans and animals and is a direct indicator of fecal contamination in water.

(cc) "Exceptional state waters" means any of the surface waters or surface water segments that are of remarkable quality or of significant recreational or ecological value, are listed in the surface water register as defined in this regulation, and are afforded the level of water quality protection under the antidegradation provisions of K.A.R. 28-16-28c and the mixing zone provisions of K.A.R. 28-16-28c.

(dd) "Excursion from numeric criteria value" means the digression of a pollutant exceeding its numeric criteria value beyond the designated duration of digression.

(ee) "Existing use" means any of the designated uses described in K.A.R. 28-16-28d or K.S.A. 82a-2001, and amendments thereto, known to have occurred in, or to have been made of, a surface water or surface water segment on or after November 28, 1975.

(ff) "Federal clean water act" means the federal water pollution prevention and control act, 33 U.S.C. Section 1251 et seq., as in effect on January 1, 1998.

(gg) "Frequency of digression" means the number of times that an excursion from numeric criteria value can occur over time without impairing the designated uses of the water.

(hh) "General purpose waters" means any classified surface water that is not classified as an outstanding national resource water or an exceptional state water.

(ii) "Groundwater" means water located under the surface of the land that is or can be the source of supply for wells, springs, or seeps or that is held in aquifers or the soil profile.

(jj) "Inhibition concentration 25" and "IC₂₅" mean a point estimate of the toxicant concentration that would cause a 25 percent reduction in a nonlethal biological measurement of the test organisms, including reproduction and growth.

(kk) "Kansas antidegradation policy," dated August 6, 2001 and hereby adopted by reference, means the department's written policy used to prevent or minimize the lowering of water quality in surface waters of the state.

(ll) "Kansas implementation procedures: surface water quality standards," dated October 1, 2012 and hereby adopted by reference, means the department's written procedures used for carrying out specific provisions of surface water quality standards, available upon request from the department's division of environment.

(mm) "Maximum contaminant level" means any of the enforceable standards for finished drinking water quality

specified in 40 C.F.R. 141.11, 141.13, and 141.61 through 141.66, dated July 1, 2012.

(nn) "Median lethal concentration" means the concentration of a toxic substance or a mixture of toxic substances calculated to be lethal to 50 percent of the population of test organisms in an acute toxicity test.

(oo) "Microfibers per liter" and "μfibers/L" mean the number of microscopic particles with a length-to-width ratio of 3:1 or greater present in a volume of one liter.

(pp) "Microgram per liter" and "μg/L" mean the concentration of a substance at which one one-millionth of a gram (10⁻⁶ g) of the substance is present in a volume of one liter.

(qq) "Milligram per liter" and "mg/L" mean the concentration of a substance at which one one-thousandth of a gram (10⁻³ g) of the substance is present in a volume of one liter.

(rr) "Mixing zone" means the designated portion of a stream or lake where a discharge is incompletely mixed with the receiving surface water and where, in accordance with K.A.R. 28-16-28e, concentrations of certain pollutants may legally exceed chronic water quality criteria associated with the established designated uses that are applied in most other portions of the receiving surface water.

(ss) "Mutagenic" means having the property of directly or indirectly causing a mutation.

(tt) "Nonpoint source" means any activity that is not required to have a national pollutant discharge elimination system permit and that results in the release of pollutants to waters of the state. This release may result from precipitation runoff, aerial drift and deposition from the air, or the release of subsurface brine or other contaminated groundwaters to surface waters of the state.

(uu) "Numeric criteria value" means any of the values listed in tables 1a, 1b, 1c, 1d, 1e, 1g, 1h, 1i, 1j, and 1k of the "Kansas surface water quality standards: tables of numeric criteria."

(vv) "Outstanding national resource water" means any of the surface waters or surface water segments of extraordinary recreational or ecological significance identified in the surface water register, as defined in this regulation, and afforded the highest level of water quality protection under the antidegradation provisions and the mixing zone provisions of K.A.R. 28-16-28c.

(ww) "pH" means the common logarithm of the reciprocal of the hydrogen ion concentration measured in moles per liter, expressed on a scale that ranges from zero to 14, with values less than seven being more acidic and values greater than seven being more alkaline.

(xx) "Picocurie per liter" and "pCi/L" mean a volumetric unit of radioactivity equal to 2.22 nuclear transformations per minute per liter.

(yy) "Point source" means any discernible, confined, and discrete conveyance from which pollutants are or could be discharged.

(zz) "Pollutant" means any physical, biological, or chemical conditions, substances, or combination of substances released into surface waters of the state that results in surface water pollution, as defined in this regulation.

(aaa) "Potable water" means water that is suitable for drinking and cooking purposes in terms of both human health and aesthetic considerations.

(bbb) "Precipitation runoff" means the rainwater or the meltwater derived from snow, hail, sleet, or other forms of atmospheric precipitation that flows by gravity over the surface of the land and into streams, lakes, or wetlands.

(ccc) "Presedimentation sludge" means a slurry or suspension of residual solid materials derived from an initial step in the production of potable water. This term shall include residual solids originating from the raw water supply used for industrial or other nonpotable water purposes, before the addition of any artificial materials not typically used in the production of potable water. The solid materials shall include sand, silt, and other easily settleable particles originating from the raw water supply.

(ddd) "Private surface water" means any freshwater reservoir or pond that is both located on and completely bordered by land under common private ownership.

(eee) "Public swimming area" means either of the following:

(1) Any classified surface water that is posted for swimming by a federal, state, or local government that has jurisdiction over the land adjacent to that particular body of water; or

(2) any privately owned or leased body of water that is open and accessible to the public and is intended for swimming.

(fff) "Seven-day, ten-year low flow" and "7Q10 flow" mean the seven-day average low flow having a recurrence frequency of once in 10 years, as statistically determined from historical flow data. Where used in this regulation in the context of mixing zones, these terms shall refer to the minimum amount of streamflow occurring immediately upstream of a wastewater discharge and available, in whole or in part, for dilution or assimilation of wastewater discharges.

(ggg) "Site-specific criterion" means any criterion applicable to a given classified surface water segment and developed for the protection of the designated uses of that segment alone.

(hhh) "Streamflow" means the volume of water moving past a stream cross-sectional plane per unit of time.

(iii) "Surface water pollution" means any of the following:

(1) Contamination or other alteration of the physical, chemical, or biological properties of the surface waters of the state, including changes in temperature, taste, odor, turbidity, or color of the waters;

(2) discharges of gaseous, liquid, solid, radioactive, microbiological, or other substances into surface waters in a manner that could create a nuisance or render these waters harmful, detrimental, or injurious to any of the following:

(A) Public health, safety, or welfare;

(B) domestic, industrial, agricultural, recreational, or other designated uses; or

(C) livestock, domestic animals, or native or naturalized plant or animal life; or

(3) any discharge that will or is likely to exceed state effluent limitations predicated upon technology-based effluent standards or water quality-based standards.

(jjj) "Surface water register" means a list of the state's major classified surface waters, including a listing of waters recognized as outstanding national resource waters or exceptional state waters, and the surface water use designations for each classified surface water, periodically updated and published by the department pursuant to K.A.R. 28-16-28d and K.A.R. 28-16-28f. The surface water register, published as the "Kansas surface water register," is adopted by reference in K.A.R. 28-16-28g.

(kkk) "Surface water segment" means a delineated portion of a stream, lake, or wetland.

(lll) "Surface waters" means the following:

(1) Streams, including rivers, creeks, brooks, sloughs, draws, arroyos, canals, springs, seeps, and cavern streams, and any alluvial aquifers associated with these surface waters;

(2) lakes, including oxbow lakes and other natural lakes and man-made reservoirs, lakes, and ponds; and

(3) wetlands, including swamps, marshes, bogs, and similar areas that are inundated or saturated by surface water or groundwater at a frequency and a duration that are sufficient to support, and under normal circumstances that do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

(mmm) "Surface waters of the state" means all surface waters occurring within the borders of the state of Kansas or forming a part of the border between Kansas and one of the adjoining states.

(nnn) "Teratogenic" means having the property of causing abnormalities that originate from impairment of an event that is typical in embryonic or fetal development.

(ooo) "Thirty-day, ten-year low flow" and "30Q10 flow" mean the 30-day average low flow having a recurrence frequency of once in 10 years, as statistically determined from historical flow data. Where used in this regulation in the context of mixing zones, these terms shall refer to the minimum amount of streamflow occurring immediately upstream of a wastewater discharge and available, in whole or in part, for dilution or assimilation of wastewater discharges.

(ppp) "Toxic substance" means any substance that produces deleterious physiological effects in humans, animals, or plants.

(qqq) "Turbidity" means the cloudiness of water as measured by optical methods of nephelometry and expressed in standard nephelometric units.

(rrr) "Use attainability analysis" means a study conducted or accepted by the department that is designed to determine whether or not a surface water or surface water segment supports, or is capable of supporting in the absence of artificial sources of pollution, one or more of the designated uses defined in K.A.R. 28-16-28d or K.S.A. 82a-2001, and amendments thereto.

(sss) "Variance" means the department's written approval and authorization of a proposed action that knowingly will result in a lack of conformity with one or more of the criteria of K.A.R. 28-16-28e but that is deemed nec-

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essary based on the provisions of 40 C.F.R. 131.10(g) dated July 1, 2012, which is hereby adopted by reference, except that the phrase "federal clean water" shall be inserted before the word "act." Variances shall be administered by the department in accordance with K.A.R. 28-16-28f.

(ttt) "Water-effect ratio" and "WER" mean the numerical toxicity, including median lethal concentration and inhibition concentration 25, of a chemical pollutant diluted in water from a given stream, lake, or wetland divided by the numerical toxicity of the same pollutant diluted in laboratory water.

(uuu) "Water quality certification" means the department's written finding that a proposed action that impacts water quality will comply with the terms and conditions of the surface water quality standards.

(vvv) "Whole-effluent toxicity limitation" means any restriction imposed by the department on the overall acute or chronic toxicity of an effluent discharged to a surface water.

(www) "Zone of initial dilution" means the region of a surface water in the immediate vicinity of a discharge where acute and chronic criteria may be exceeded. (Authorized by K.S.A. 2014 Supp. 65-171d and K.S.A. 65-171m; implementing K.S.A. 65-165, K.S.A. 2014 Supp. 65-171d, K.S.A. 65-171m, and K.S.A. 2014 Supp. 82a-2001; effective May 1, 1986; amended Aug. 29, 1994; amended July 30, 1999; amended Nov. 3, 2000; amended Aug. 31, 2001; amended Jan. 3, 2003; amended Oct. 24, 2003; amended Jan. 28, 2005; amended March 20, 2015.)

28-16-28c. General provisions. (a) Antidegradation.

(1) General purpose waters.

(A) Levels of water quality in surface waters of the state shall be maintained to protect the existing uses of those surface waters.

(B) For all surface waters of the state, if existing water quality is better than applicable water quality criteria established in K.A.R. 28-16-28b through 28-16-28g, that existing water quality shall be fully maintained and protected.

Water quality may be lowered only if the secretary finds, after full satisfaction of the intergovernmental coordination and public participation requirements on antidegradation contained in the "Kansas antidegradation policy," as adopted by reference in K.A.R. 28-16-28b, that a lowering of water quality is needed to allow for important social or economic development in the geographical area in which the waters are located.

In allowing the lowering of water quality, the maintenance and protection of existing uses shall be ensured, and the highest statutory and regulatory requirements for all new and existing point sources of pollution and all cost-effective and reasonable best management practices for nonpoint sources of pollution shall be achieved.

(2) Exceptional state waters. Wherever surface waters of the state constitute exceptional state waters, discharges shall be allowed only if existing uses and existing water quality are maintained and protected.

(3) Outstanding national resource waters. Wherever surface waters of the state constitute an outstanding na-

tional resource water, existing uses and existing water quality shall be maintained and protected. New or expanded discharges shall not be allowed into outstanding national resource waters.

(4) Threatened or endangered species. No degradation of surface water quality by artificial sources of pollution shall be allowed if the degradation will result in harmful effects on populations of any threatened or endangered species of aquatic or semiaquatic life or terrestrial wildlife or its critical habitat as determined by the secretary of the department of wildlife, parks, and tourism pursuant to K.S.A. 32-960, and amendments thereto, K.A.R. 115-15-3, or the federal endangered species act, 16 U.S.C. Section 1532 et seq., as in effect on July 1, 2012.

(5) Temporary discharges. Temporary sources of pollution meeting the requirements of subsection (d) of this regulation and K.A.R. 28-16-28e, producing only ephemeral surface water quality degradation not harmful to existing uses, may be allowed by the department.

(6) Thermal discharges. Implementation of these antidegradation provisions for thermal discharges shall be consistent with the requirements of 33 U.S.C. Section 1326, as in effect on July 1, 2012.

(7) Implementation. Implementation of these antidegradation provisions shall be consistent with the "Kansas antidegradation policy," available upon request from the department.

(b) Mixing zones.

(1) General limitations. Mixing zones shall not extend across public drinking water intakes, stream tributary mouths, or swimming or boat ramp areas, nor shall mixing zones exist in locations that preclude the normal upstream or downstream movement or migration of aquatic organisms. Mixing zones associated with separate discharges shall not overlap unless a department-approved demonstration indicates that the overlapping will not result in a violation of the general water quality criteria specified in K.A.R. 28-16-28e or in an impairment of the existing uses of the receiving surface water. The zone of initial dilution for a mixing zone shall comprise, in terms of volume, not more than 10 percent of the mixing zone.

(2) Discharges into classified stream segments. No mixing zone within a classified stream segment, as defined in K.S.A. 2013 Supp. 82a-2001 and amendments thereto, shall extend beyond the middle of the nearest downstream current crossover point, where the main current flows from one bank to the opposite bank, or more than 300 meters downstream from the point of effluent discharge.

(3) Effluent-dominated streams. If the ratio of the receiving stream critical low flow to the discharge design flow is less than 3:1, then the mixing zone shall be the cross-sectional area or the volumetric flow of the stream during critical low flow conditions, as measured immediately upstream of the discharge during the critical low flow.

(4) Applications. Mixing zones shall be applied in accordance with paragraphs (b)(7) and (b)(8), based on the classification and designated uses of a stream segment for individual pollutants. For surface waters classified as outstanding national resource waters or exceptional state waters, or designated as special aquatic life use waters,

mixing zones for specific discharges may be allowed by the secretary in accordance with paragraphs (b)(6), (b)(7), and (b)(8)(A). Mixing zones also may be allowed if there are no aquatic life criteria for an individual pollutant.

(5) Restrictions. The right to prohibit the use of mixing zones or to place more stringent limitations on mixing zones than those stipulated in paragraphs (b)(2), (3), and (13) shall be reserved by the secretary wherever site conditions preclude the rapid dispersion and dilution of effluent within the receiving surface water or if, in the judgment of the secretary, the presence of a mixing zone would unduly jeopardize human health or any of the existing uses of the receiving surface water.

(6) Outstanding national resource waters. Mixing zones may be allowed by the secretary for existing permitted discharges in surface waters re-designated as outstanding national resource waters in the "Kansas surface water register" pursuant to K.A.R. 28-16-28g but shall be evaluated on an individual permit basis to prevent the degradation of the outstanding national resource waters.

(7) Exceptional state waters. If the ratio of the receiving stream critical low flow to the discharge design flow is equal to or greater than 3:1, the mixing zone shall not exceed 25 percent of the cross-sectional area or volumetric flow of the receiving stream during critical low flow conditions, measured immediately upstream of the discharge during the critical low flow.

(8) General purpose waters.

(A) Special aquatic life use waters. If the ratio of the receiving stream critical low flow to the discharge design flow is equal to or greater than 3:1, the mixing zone shall not exceed 25 percent of the cross-sectional area or volumetric flow of the receiving stream during critical low flow conditions, measured immediately upstream of the discharge during the critical low flow.

(B) Expected aquatic life use waters. If the ratio of the receiving stream critical low flow to the discharge design flow is equal to or greater than 3:1, the mixing zone shall not exceed 50 percent of the cross-sectional area or volumetric flow of the receiving stream during critical low flow conditions, measured immediately upstream of the discharge during the critical low flow.

(C) Restricted aquatic life use waters. If the ratio of the receiving stream critical low flow to the discharge design flow is equal to or greater than 3:1, the mixing zone shall not exceed 100 percent of the cross-sectional area or volumetric flow of the receiving stream during critical low flow conditions, measured immediately upstream of the discharge during the critical low flow.

(D) Recreational uses. Mixing zones for classified surface waters designated for recreational uses may be allowed by the secretary on an individual permit basis in accordance with paragraph (b)(10).

(9) Alternate low flows. Alternate low flows may be utilized by the department as the critical low flow in the calculation of the mixing zone cross-sectional area or volumetric flow for specific water quality criteria.

(A) The 30Q10 flow for ammonia or the guaranteed minimum flow provided by a water assurance district, if applicable, shall be used by the department in the calculation of the mixing zone cross-sectional area or volumetric flow.

(B) Other alternate low flows, with a specific recurrence frequency and averaging period, shall be considered by the department if those flows will not result in excursions above aquatic life criteria more frequently than once every three years.

(C) Each proposed alternate low flow shall be subject to approval by the secretary.

(10) Alternate or site-specific mixing zones. Alternate mixing zones employing specific linear distances for mixing zones or alternate stream dilution volumes or cross-sectional areas, or both, may be allowed by the secretary. Site-specific mixing zones may be allowed if data generated from a site-specific study supports the use of an alternate mixing zone, but maintains a zone of passage for aquatic life.

(11) Discharges into classified lakes. Mixing zones shall not extend into any lake classified as an outstanding national resource water or exceptional state water, or designated as a special aquatic life use water according to K.A.R. 28-16-28d. Mixing zones in lakes designated as expected aquatic life use water or restricted aquatic life use waters may be allowed by the department if the mixing zones do not extend farther than 50 meters from the point of effluent discharge or do not comprise more than one percent of the total volume of the receiving lake as measured at the conservation pool.

(12) Discharges into classified ponds. Mixing zones shall not extend into any classified pond.

(13) Discharges into classified wetlands. Mixing zones shall not extend into any classified wetland.

(c) Special conditions. The following special conditions shall not remove the obligation to design, build, or use pollution control structures or methods to control point sources and nonpoint sources:

(1) Low flow. Any classified stream segment may be exempted by the secretary from the application of some or all of the numeric surface water criteria specified in K.A.R. 28-16-28e if streamflow is less than the critical low flow.

(2) Effluent-created flow.

(A) For any current classified stream segment in which continuous flow is sustained primarily through the discharge of treated effluent and the segment does not otherwise meet the requirements of a classified stream in K.A.R. 28-16-28d, the discharger shall provide treatment in accordance with the federal secondary treatment regulation, 40 C.F.R. 133.102, dated July 1, 2012.

(B) This discharge shall not violate the general surface water quality criteria listed in K.A.R. 28-16-28e or impair any of the existing or attained designated uses of a downstream classified stream segment.

(C) If a use attainability analysis demonstrates that the designated uses of a surface water segment are not attainable, then the new use designations for effluent-created flow shall be adopted as specified in K.A.R. 28-16-28d and approved by the EPA before serving as a basis for limitations in any new, reissued, or modified permit.

(d) Treatment requirements.

(1) All effluent shall receive appropriate minimum levels of treatment in accordance with 40 C.F.R. 122.44, dated July 1, 2012.

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(2) Effluent shall receive a higher level of treatment than that stipulated in paragraph (d)(1) of this regulation, if the department determines that this higher level of treatment is needed to fully comply with the terms and conditions of subsection (a) of this regulation or K.A.R. 28-16-28e.

(e) Analytical testing. All methods of sample collection, preservation, and analysis used in applying K.A.R. 28-16-28b through 28-16-28g shall be in accordance with those methods prescribed by the department.

(f) Application of standards to privately owned reservoirs or ponds. The application of water quality standards to privately owned reservoirs or ponds shall be subject to the provisions of K.S.A. 65-171d, and amendments thereto. (Authorized by K.S.A. 2014 Supp. 65-171d, K.S.A. 2014 Supp. 82a-2010, and K.S.A. 65-171m; implementing K.S.A. 2014 Supp. 82a-2002, 82a-2003, 82a-2004, and 82a-2005; effective May 1, 1986; amended, T-87-8, May 1, 1986; amended May 1, 1987; amended Aug. 29, 1994; amended July 30, 1999; amended Aug. 31, 2001; amended Jan. 3, 2003; amended Jan. 28, 2005; amended March 20, 2015.)

28-16-28d. Surface water classification and use designation. (a) Surface water classification. Surface waters shall be classified as follows:

(1) Classified stream segments shall be those stream segments defined in K.S.A. 82a-2001, and amendments thereto.

(2) Classified surface waters other than classified stream segments shall be defined as follows:

(A) Classified lakes shall be all lakes owned by federal, state, county, or municipal authorities and all privately owned lakes that serve as public drinking water supplies or that are open to the general public for primary or secondary contact recreation.

(B) Classified wetlands shall be the following:

(i) All wetlands owned by federal, state, county, or municipal authorities;

(ii) all privately owned wetlands open to the general public for hunting, trapping, or other forms of secondary contact recreation; and

(iii) all wetlands classified as outstanding national resource waters or exceptional state waters, or designated as special aquatic life use waters according to subsection (d).

Wetlands created for the purpose of wastewater treatment shall not be considered classified wetlands.

(C) Classified ponds shall be all ponds owned by federal, state, county, or municipal authorities and all privately owned ponds that impound water from a classified stream segment as defined in paragraph (a)(1).

(b) Designated uses of classified surface waters other than classified stream segments. The designated uses of classified surface waters other than classified stream segments shall be defined as follows:

(1) "Agricultural water supply use" means the use of classified surface waters other than classified stream segments for agricultural purposes, including the following:

(A) "Irrigation," which means the withdrawal of classified surface waters other than classified stream segments for application onto land; and

(B) "livestock watering," which means the provision of classified surface waters other than classified stream segments to livestock for consumption.

(2) "Aquatic life support use" means the use of classified surface waters other than classified stream segments for the maintenance of the ecological integrity of lakes, wetlands, and ponds, including the sustained growth and propagation of native aquatic life; naturalized, important, recreational aquatic life; and indigenous or migratory semiaquatic or terrestrial wildlife directly or indirectly dependent on classified surface waters other than classified stream segments for survival.

(A) "Special aquatic life use waters" means either classified surface waters other than classified stream segments that contain combinations of habitat types and indigenous biota not found commonly in the state or classified surface waters other than classified stream segments that contain representative populations of threatened or endangered species.

(B) "Expected aquatic life use waters" means classified surface waters other than classified stream segments containing habitat types and indigenous biota commonly found or expected in the state.

(C) "Restricted aquatic life use waters" means classified surface waters other than classified stream segments containing indigenous biota limited in abundance or diversity by the physical quality or availability of habitat, due to natural deficiencies or artificial modifications, compared to more suitable habitats in adjacent waters.

(3) "Domestic water supply use" means the use of classified surface waters other than classified stream segments, after appropriate treatment, for the production of potable water.

(4) "Food procurement use" means the use of classified surface waters other than classified stream segments for obtaining edible forms of aquatic or semiaquatic life for human consumption.

(5) "Groundwater recharge use" means the use of classified surface waters other than classified stream segments for replenishing fresh or usable groundwater resources. This use may involve the infiltration and percolation of classified surface waters other than classified stream segments through sediments and soils or the direct injection of classified surface waters other than classified stream segments into underground aquifers.

(6) "Industrial water supply use" means the use of classified surface waters other than classified stream segments for nonpotable purposes by industry, including withdrawals for cooling or process water.

(7) "Recreational use" means the use of classified surface waters other than classified stream segments for primary contact recreation or secondary contact recreation.

(A) "Primary contact recreational use for classified surface waters other than classified stream segments" means the use of classified surface waters other than classified stream segments for recreation on and after April 1 through October 31 of each year, during which a person is immersed to the extent that some inadvertent ingestion of water is probable. This use shall include boating, musel harvesting, swimming, skin diving, waterskiing, and windsurfing.

(i) "Primary contact recreational use: swimming beach" shall apply to those classified surface waters other than classified stream segments that have posted public swimming areas. These waters shall present a risk of human illness that is no greater than 0.8 percent.

(ii) "Primary contact recreational use: public access" shall apply to those classified surface waters other than classified stream segments where full body contact can occur and that are, by law or written permission of the landowner, open to and accessible by the public. These waters shall present a risk of human illness that is no greater than 1.0 percent.

(iii) "Primary contact recreational use: restricted access" shall apply to those classified surface waters other than classified stream segments where full body contact can occur and that are not open to and accessible by the public under Kansas law. These waters shall present a risk of human illness that is no greater than 1.2 percent.

(B) "Secondary contact recreational use for classified surface waters other than classified stream segments" means recreation during which the ingestion of classified surface waters other than classified stream segments is not probable. This use shall include wading, fishing, trapping, and hunting.

(i) "Secondary contact recreational use: public access" shall apply to classified surface waters other than classified stream segments where the surface water is, by law or written permission of the landowner, open to and accessible by the public.

(ii) "Secondary contact recreational use: restricted access" shall apply to classified surface waters other than classified stream segments where the surface water is not open to and accessible by the public under Kansas law.

(c) Designated uses of classified stream segments. The designated uses of classified stream segments shall be those defined in K.S.A. 82a-2001, and amendments thereto.

(d) Assignment of uses to surface waters.

(1) Classified surface waters shall be designated for uses based upon the results of use attainability analyses conducted in accordance with K.S.A. 82a-2005, and amendments thereto. The provisions of the federal water quality standards regulation, 40 C.F.R. 131.10(g), as adopted by reference in K.A.R. 28-16-28b(sss), shall be followed.

(2) Classified surface waters and their designated uses shall be identified and listed in the "Kansas surface water register," as adopted by reference in K.A.R. 28-16-28g.

(3) The use designations for classified streams, lakes, wetlands, and ponds not listed in the surface water register shall be determined by the secretary on a case-by-case basis in accordance with paragraph (d)(1). (Authorized by K.S.A. 2014 Supp. 65-171d, 82a-2005, and 82a-2010; implementing K.S.A. 2014 Supp. 65-171d, 82a-2002, 82a-2003, 82a-2004, and 82a-2005; effective May 1, 1986; amended, T-87-8, May 1, 1986; amended May 1, 1987; amended Aug. 29, 1994; amended July 30, 1999; amended Aug. 31, 2001; amended Jan. 3, 2003; amended Jan. 23, 2004; amended Jan. 28, 2005; amended March 20, 2015.)

28-16-28e. Surface water quality criteria. (a) Criteria development guidance. The development of surface

water quality criteria for substances not listed in these standards shall be guided by water quality criteria published by the EPA. If the department finds that the criteria listed in this regulation are underprotective or overprotective for a given surface water segment, appropriate site-specific criteria may be developed and applied by the department, in accordance with K.A.R. 28-16-28f, using bioassessment methods or other related scientific procedures, including those procedures consistent with the EPA's "water quality standards handbook," second edition, as published in August 1994, or other department-approved methods.

(b) General criteria for surface waters. The following criteria shall apply to all surface waters, regardless of classification:

(1) Surface waters shall be free, at all times, from the harmful effects of substances that originate from artificial sources of pollution and that produce any public health hazard, nuisance condition, or impairment of a designated use.

(2) Hazardous materials derived from artificial sources, including toxic substances, radioactive isotopes, and infectious microorganisms derived from point sources or nonpoint sources, shall not occur in surface waters at concentrations or in combinations that jeopardize the public health or the survival or well-being of livestock, domestic animals, terrestrial wildlife, or aquatic or semiaquatic life.

(3) Surface waters shall be free of all discarded solid materials, including trash, garbage, rubbish, offal, grass clippings, discarded building or construction materials, car bodies, tires, wire, and other unwanted or discarded materials. The placement of stone and concrete rubble for bank stabilization shall be acceptable to the department if all other required permits are obtained before placement.

(4) Surface waters shall be free of floating debris, scum, foam, froth, and other floating materials directly or indirectly attributable to artificial sources of pollution.

(5) Oil and grease from artificial sources shall not cause any visible film or sheen to form upon the surface of the water or upon submerged substrate or adjoining shorelines, nor shall these materials cause a sludge or emulsion to be deposited beneath the surface of the water or upon the adjoining shorelines.

(6) Surface waters shall be free of deposits of sludge or fine solids attributable to artificial sources of pollution.

(7) Taste-producing and odor-producing substances of artificial origin shall not occur in surface waters at concentrations that interfere with the production of potable water by conventional water treatment processes, that impart an unpalatable flavor to edible aquatic or semiaquatic life or terrestrial wildlife, or that result in noticeable odors in the vicinity of surface waters.

(8) The natural appearance of surface waters shall not be altered by the addition of color-producing or turbidity-producing substances of artificial origin.

(9) In stream segments where background concentrations of naturally occurring substances, including chlorides and sulfates, exceed the water quality criteria listed in table 1a of the "Kansas surface water quality standards: tables of numeric criteria," as adopted by reference in

(continued)

subsection (e), at ambient flow, the existing water quality shall be maintained, and the newly established numeric criteria shall be the background concentration. Background concentrations shall be established using the methods outlined in the "Kansas implementation procedures: surface water quality standards," as adopted by reference in K.A.R. 28-16-28b, and available upon request from the department.

(c) Application of criteria for designated uses of surface waters.

(1) The numeric criteria in tables 1a, 1b, 1c, 1d, and 1e of the "Kansas surface water quality standards: tables of numeric criteria" shall not apply if the critical low flow is less than 0.03 cubic meter per second (1.0 cubic foot per second) for waters designated as expected aquatic life use waters and restricted aquatic life use waters, unless studies conducted or approved by the department show that water present during periods of no flow, or flow below critical low flow, provides important refuges for aquatic life and permits biological recolonization of intermittently flowing segments.

(2) The numeric criteria in tables 1a, 1b, 1c, 1d, and 1e of the "Kansas surface water quality standards: tables of numeric criteria" shall not apply if the critical low flow is less than 0.003 cubic meter per second (0.1 cubic foot per second) for waters designated as special aquatic life use waters, unless studies conducted or approved by the department show that water present during periods of no flow, or flow below critical low flow, provides important refuges for aquatic life and permits biological recolonization of intermittently flowing segments.

(3) Each digression shall be assessed by the secretary for the purposes of section 303(d) of the federal clean water act, with consideration of acceptable duration and frequency of the digression and representation of actual ambient conditions by environmental monitoring data, as specified in the "Kansas implementation procedures: surface water quality standards."

(d) Criteria for designated uses of surface waters. The following criteria shall apply to all classified surface waters for the indicated designated uses:

(1) Agricultural water supply use. The water quality criteria for irrigation and livestock watering specified in table 1a of the "Kansas surface water quality standards: tables of numeric criteria" shall not be exceeded outside of mixing zones due to artificial sources of pollution.

(2) Aquatic life support use.

(A) Nutrients. The introduction of plant nutrients into streams, lakes, or wetlands from artificial sources shall be controlled to prevent the accelerated succession or replacement of aquatic biota or the production of undesirable quantities or kinds of aquatic life.

(B) Suspended solids. Suspended solids added to surface waters by artificial sources shall not interfere with the behavior, reproduction, physical habitat, or other factors related to the survival and propagation of aquatic or semiaquatic life or terrestrial wildlife. In the application of this provision, suspended solids associated with discharges of presedimentation sludge from water treatment facilities shall be deemed noninjurious to aquatic and semiaquatic life and terrestrial wildlife if these discharges

fully meet the requirements of paragraphs (b)(6) and (8) and paragraph (d)(2)(D).

(C) Temperature.

(i) Heat of artificial origin shall not be added to a surface water in excess of the amount that will raise the temperature of the water beyond the mixing zone more than 3° C above natural conditions. Additionally, a discharge to a receiving water shall not lower the temperature of the water beyond the mixing zone more than 3° C below natural conditions. The normal daily and seasonal temperature variations occurring within a surface water before the addition of heated or cooled water of artificial origin shall be maintained.

(ii) Temperature criteria applicable to industrial cooling water recycling reservoirs that meet the requirements for classification specified in K.A.R. 28-16-28d shall be established by the secretary on a case-by-case basis to protect the public health, safety, or the environment.

(D) Toxic substances.

(i) Conditions of acute toxicity shall not occur in classified surface waters outside of zones of initial dilution, nor shall conditions of chronic toxicity occur in classified surface waters outside of mixing zones.

(ii) Acute criteria for the aquatic life support use specified in tables 1a, 1b, and 1c of the "Kansas surface water quality standards: tables of numeric criteria" shall apply beyond the zone of initial dilution. Chronic criteria for the aquatic life support use specified in tables 1a, 1b, 1d, and 1e of the "Kansas surface water quality standards: tables of numeric criteria" shall apply beyond the mixing zone.

(iii) If a discharge contains a toxic substance that lacks any published criteria for the aquatic life support use, or if a discharge contains a mixture of toxic substances capable of additive or synergistic interactions, bioassessment methods and procedures shall be specified by the department to establish whole-effluent toxicity limitations that are consistent with paragraph (d)(2)(D)(i).

(3) Domestic water supply use.

(A) Except as provided in paragraph (d)(3)(B), the criteria listed in table 1a of the "Kansas surface water quality standards: tables of numeric criteria" for domestic water supply use shall not be exceeded at any point of domestic water supply diversion.

(B) In stream segments where background concentrations of naturally occurring substances, including chlorides and sulfates, exceed the domestic water supply criteria listed in table 1a of the "Kansas surface water quality standards: tables of numeric criteria," due to intrusion of mineralized groundwater, the existing water quality shall be maintained, and the newly established numeric criteria for domestic water supply shall be the background concentration. Background concentrations shall be established using the methods outlined in the "Kansas implementation procedures: surface water quality standards," available upon request from the department.

(C) Any substance derived from an artificial source that, alone or in combination with other synthetic or naturally occurring substances, causes toxic, carcinogenic, teratogenic, or mutagenic effects in humans shall be limited to nonharmful concentrations in surface waters. Unless site-specific water quality conditions warrant the

promulgation of more protective criteria under the provisions of subsection (a) of this regulation and K.A.R. 28-16-28f, maximum contaminant levels for toxic, carcinogenic, teratogenic, or mutagenic substances specified in 40 C.F.R. 141.11, 141.13, and 141.61 through 141.66, dated July 1, 2012, shall be deemed nonharmful.

(D) The introduction of plant nutrients into surface waters designated for domestic water supply use shall be controlled to prevent interference with the production of drinking water.

(4) Food procurement use.

(A) Criteria listed in table 1a of the "Kansas surface water quality standards: tables of numeric criteria" for food procurement use shall not be exceeded outside of a mixing zone due to any artificial source of pollution.

(B) Substances that can bioaccumulate in the tissues of edible aquatic or semiaquatic life or wildlife through bioconcentration or biomagnification shall be limited in surface waters to concentrations that result in no harm to human consumers of these tissues. For bioaccumulative carcinogens, surface water concentrations corresponding to a cancer risk level of less than 0.000001 (10^{-6}) in human consumers of aquatic or semiaquatic life or wildlife shall be deemed nonharmful by the department and adopted as food procurement criteria. Average rates of tissue consumption and lifetime exposure shall be assumed by the department in the estimation of the cancer risk level.

(5) Groundwater recharge use. In surface waters designated for the groundwater recharge use, water quality shall be such that, at a minimum, degradation of groundwater quality does not occur. Degradation shall include any statistically significant increase in the concentration of any chemical or radiological contaminant or infectious microorganism in groundwater resulting from surface water infiltration or injection.

(6) Industrial water supply use. Surface water quality criteria for industrial water supplies shall be determined by the secretary on a case-by-case basis to protect the public health, safety, or the environment.

(7) Recreational use.

(A) General. The introduction of plant nutrients into surface waters designated for primary or secondary contact recreational use shall be controlled to prevent the development of objectionable concentrations of algae or algal by-products or nuisance growths of submersed, floating, or emergent aquatic vegetation.

(B) Primary contact recreation for classified surface waters other than classified stream segments. A single sample maximum or a geometric mean of at least five samples collected during separate 24-hour periods within a 30-day period shall not exceed the criteria in table 1j of the "Kansas surface water quality standards: tables of numeric criteria" beyond the mixing zone.

(C) Secondary contact recreational use for classified surface waters other than classified stream segments. A single sample maximum or a geometric mean of at least five samples collected during separate 24-hour periods within a 30-day period shall not exceed the criteria in table 1j of the "Kansas surface water quality standards: tables of numeric criteria" beyond the mixing zone.

(D) Primary contact recreation for classified stream segments. At least five samples shall be collected during separate 24-hour periods within a 30-day period. A geometric mean analysis of these samples shall not exceed the

criteria in table 1i of the "Kansas surface water quality standards: tables of numeric criteria" beyond the mixing zone.

(E) Secondary contact recreation for classified stream segments. The following criteria shall be in effect from January 1 through December 31 of each year:

(i) At least five samples shall be collected during separate 24-hour periods within a 30-day period.

(ii) A geometric mean analysis of the samples specified in paragraph (d)(7)(E)(i) shall not exceed the criteria in table 1i of the "Kansas surface water quality standards: tables of numeric criteria" beyond the mixing zone.

(F) Wastewater disinfection. Wastewater effluent shall be disinfected if the department determines that the discharge of nondisinfected wastewater constitutes an actual or potential threat to public health. Situations that constitute an actual or potential threat to public health shall include instances in which there is a reasonable potential for the discharge to exceed the applicable criteria supporting the assigned recreational use designation or if a water body is known or likely to be used for either of the following:

(i) Primary or secondary contact recreation; or

(ii) any domestic water supply.

(8) Multiple uses. If a classified stream segment or classified surface water other than a classified stream segment is designated for more than one designated use according to K.A.R. 28-16-28d, the water quality of the classified stream segment or classified surface water other than a classified stream segment shall meet the most stringent of the applicable water quality criteria.

(e) Tables. The numeric criteria for the designated uses of classified surface waters shall be the numeric criteria specified in the department's "Kansas surface water quality standards: tables of numeric criteria," dated January 21, 2015, which is hereby adopted by reference. (Authorized by K.S.A. 2014 Supp. 65-171d, K.S.A. 65-171m, and K.S.A. 2014 Supp. 82a-2010; implementing K.S.A. 2014 Supp. 65-171d, K.S.A. 65-171m, and K.S.A. 2014 Supp. 82a-2002, 82a-2003, 82a-2004, and 82a-2010; effective May 1, 1986; amended, T-87-8, May 1, 1986; amended May 1, 1987; amended Aug. 29, 1994; amended July 30, 1999; amended Nov. 3, 2000; amended Aug. 31, 2001; amended Jan. 3, 2003; amended Oct. 24, 2003; amended Jan. 28, 2005; amended March 20, 2015.)

28-16-28f. Administration of surface water quality standards. (a) Application of modified surface water quality standards. A modification to the surface water quality standards, the surface water register, or both, shall have no effect on the requirements of any existing enforceable discharge permit issued under K.S.A. 65-165, and amendments thereto, unless the discharge fails to meet the requirements of the permit or the secretary determines that continuation of the discharge will result in a potential or actual public health hazard or in irreversible water use impairments.

(b) Water quality certification. No action identified in this subsection shall be taken unless the department has issued a water quality certification for the following:

(1) Any action requiring a federal license or permit pursuant to the federal clean water act;

(2) any action subject to the permitting provisions of K.S.A. 65-165, and amendments thereto;

(continued)

(3) any water development project subject to the provisions of K.S.A. 82a-325 et seq., and amendments thereto; and

(4) any action undertaken by any Kansas state agency that has a potential water quality impact.

(c) Compliance schedules.

(1) Except as provided in paragraph (c)(2), compliance schedules contained in any discharge permit or license issued by the department pursuant to the federal clean water act or K.S.A. 65-165, and amendments thereto, shall not extend more than three years beyond the date of permit issuance.

(2) Compliance schedules of up to five years in total duration may be granted if it is demonstrated that the strict application of paragraph (c)(1) is not feasible due to construction scheduling constraints or other technical limitations.

(d) Variances. If, upon written application by any person, the secretary finds that by reason of substantial and widespread socioeconomic impact the strict enforcement of the water quality criteria of K.A.R. 28-16-28e(d) is not feasible, a variance from those criteria may be permitted and adopted into the regulations at the next systematic review or subsequent triennial review after public notification and opportunity for public comment.

(1) Each person requesting a variance shall demonstrate compliance with 40 C.F.R. 131.10(g), which is adopted by reference in K.A.R. 28-16-28b.

(2) In granting a variance, conditions and time limitations may be set by the secretary with the intent that progress be made toward improvements in surface water quality.

(3) No action that impacts water quality shall be granted a variance from the requirements of K.A.R. 28-16-28e(b).

(e) Site-specific criteria. Site-specific criteria shall be established using the methods outlined in the "Kansas implementation procedures: surface water quality standards," as adopted by reference in K.A.R. 28-16-28b.

(f) Enforcement. Each person deemed by the department to be responsible for a violation of the surface water quality standards caused by an artificial source of pollution shall be required by the department to initiate corrective actions that restore the designated uses of the affected surface water or surface water segment impaired by the violation and provide for the return of the original surface water quality conditions. (Authorized by K.S.A. 2014 Supp. 65-171d and K.S.A. 65-171m; implementing K.S.A. 65-164, K.S.A. 2014 Supp. 65-171d, and K.S.A. 65-171m; effective May 1, 1986; amended Aug. 29, 1994; amended July 30, 1999; amended Jan. 28, 2005; amended March 20, 2015.)

28-16-58. Definitions. As used in K.A.R. 28-16-57a through 28-16-63, each of the following terms shall have the meaning specified in this regulation: (a)(1) "Administrator" means administrator of the United States environmental protection agency (EPA).

(2) "Application" means all documents required by the division of environment in the Kansas department of health and environment that are necessary for obtaining a permit.

(3) "Department" and "KDHE" mean Kansas department of health and environment.

(4) "Director" means director of the division of environment, KDHE.

(5) "Division" means division of environment, KDHE.

(6) "Draft permit" means a permit that has not been issued as a final action of the secretary.

(7) "EPA" means United States environmental protection agency.

(8) "Kansas implementation procedures: wastewater permitting" means the procedures dated July 1, 2014 and written and used by the department for the development of national pollutant discharge elimination system permit limitations, available upon request from the division.

(9) "Minimum standards of design, construction, and maintenance" means effluent standards, effluent limitations, pretreatment standards, other performance standards, and other standards of design, construction, and maintenance for wastewater control facilities published by the department in 1978 as "minimum standards of design for water pollution control facilities."

(10) "Municipal system" means a system under the jurisdiction of a city, county, township, district, or other governmental unit.

(11) "National pollutant discharge elimination system" and "NPDES" mean the national system for the issuance of permits under 33 U.S.C. Section 1342 and shall include any state or interstate program that has been approved by the administrator, in whole or in part, pursuant to 33 U.S.C. Section 1342.

(12) "Refuse act application" means an application for a permit under 33 U.S.C. Section 407, commonly known as the refuse act, of 33 U.S.C. Chapter 9, "protection of navigable waters and of harbor and river improvements generally."

(13) "Regional administrator" means the regional administrator for region VII of the EPA.

(14) "Secretary" means secretary of KDHE.

(15) "Water quality standards" means all water quality standards, as specified in K.A.R. 28-16-28b through K.A.R. 28-16-28g, to which a discharge is subject.

(16) "Waters of the state" means all surface and sub-surface waters occurring within the borders of the state or forming part of the border between Kansas and one of the adjoining states.

(b) The definitions of the following terms contained in 33 U.S.C. Section 1362, as amended July 29, 2008 and hereby adopted by reference, shall be applicable to the following terms as used in K.A.R. 28-16-57a through K.A.R. 28-16-63, unless the context requires otherwise:

(1) "Biological monitoring";

(2) "effluent limitations";

(3) "municipality";

(4) "person";

(5) "state"; and

(6) "toxic pollutant." (Authorized by K.S.A. 2014 Supp. 65-171d; implementing K.S.A. 65-165, K.S.A. 65-166, and K.S.A. 2014 Supp. 65-171d; effective, E-74-32, June 14, 1974; effective May 1, 1975; amended May 1, 1987; amended Aug. 31, 2001; amended Jan. 28, 2005; amended March 20, 2015.)

Susan Mosier, M.D.
Acting Secretary of Health
and Environment

Doc. No. 043337

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 2014 Supplement of the *Kansas Administrative Regulations*.

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1-14-11	Amended	V. 33, p. 886

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

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5-7-4b	New	V. 33, p. 326

AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

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9-3-17	New	V. 33, p. 922-926
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16-11-7	Amended	V. 33, p. 1047
16-13-1	New (T)	V. 33, p. 731
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17-11-18	Amended	V. 33, p. 684
17-11-21	Amended	V. 33, p. 684
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28-4-556	Revoked	V. 33, p. 202
28-4-564	Amended	V. 33, p. 202
28-4-565	Amended	V. 33, p. 203
28-4-568	Amended	V. 33, p. 203
28-4-569	Amended	V. 33, p. 204
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28-4-1269	New (T)	V. 33, p. 8-24
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28-14-1	Amended	V. 33, p. 518
28-14-2	Amended	V. 33, p. 518
28-16-28g	Amended	V. 33, p. 643
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69-12-5	Amended	V. 33, p. 108
69-15-1	Amended	V. 33, p. 517
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109-2-8 Amended V. 34, p. 71
109-2-11 Amended V. 33, p. 644
109-2-13 Amended V. 33, p. 646
109-3-5 Amended V. 33, p. 849
109-15-1 Amended V. 33, p. 1283

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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. A list of regulations filed from December 22, 2011 through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 Kansas Register. The following regulations were filed after December 15, 2013:

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111-2-316 New V. 33, p. 1101
111-2-317 New V. 33, p. 1101
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