

Kansas Register

Bill Graves, Secretary of State

Vol. 13, No. 27

July 7, 1994

Pages 997-1024

In this issue . . .

Page

Law Enforcement Training Commission	
Notice of meeting	998
Kansas Agricultural Value-Added Processing Center	
Notice of Leadership Council retreat	998
State Records Board	
Notice of meeting	998
Secretary of State	
Usury rate for July	998
Notice of judgment interest rate	999
State Emergency Response Commission	
Notice of meeting	999
Social and Rehabilitation Services	
Notice of basic maximum daily rate of charge for state institutions	999
Legislative interim committee schedule	999
Department of Wildlife and Parks	
Public notice	1000
State Grain Inspection Department	
Notice of hearing on proposed administrative regulations	1000
State Conservation Commission	
Notice to contractors	1000
State Corporation Commission	
Notice of motor carrier hearings	1000
Executive appointments	1003
Kansas State Treasurer	
Notice of investment rates	1004
Notice of Bond Redemption	
Kansas Development Finance Authority	1004
Notice of Bond Sale	
City of Eudora	1004
City of Goddard	1005
U.S.D. 393, Dickinson County	1006
City of Wichita	1006
U.S.D. 434, Osage County	1008
U.S.D. 265, Sedgwick County	1009
Kansas Correctional Industries	
Notice to bidders for state surplus property	1010
Department of Health and Environment	
Notice of meeting and hearing	1010
Notice of hearing on proposed administrative regulations	1010
Notice concerning Kansas water pollution control permits	1012
Permanent Administrative Regulations	
State Board of Agriculture—Division of Weights and Measures	1013
Department of Health and Environment	1016
State Board of Agriculture	1017
Notice to bidders for state purchases	1016
Index to administrative regulations	1019

State of Kansas

Law Enforcement Training Commission

Notice of Meeting

The Kansas Law Enforcement Training Commission will meet at 10 a.m. Wednesday, July 13, at the Kansas Law Enforcement Training Center, located 12 miles southeast of Hutchinson south of K-96 at the Hutchinson Air Base Industrial Tract (HABIT), the former Naval Air Station, or one mile west and one mile south of Yoder. The meeting is open to the public.

Robert Senecal
Executive Director

Doc. No. 015068

State of Kansas

Kansas Agricultural Value-Added Processing Center

Notice of Leadership Council Retreat

The Leadership Council of the Kansas Agricultural Value-Added Processing Center will convene for a board strategic planning retreat at 3 p.m. Wednesday, July 13, through 5 p.m. Friday, July 15 at Kansas Sampler Foundation, Inman. For further information, contact David Hurt at (913) 532-7033.

David Hurt
President

Doc. No. 015081

State of Kansas

Secretary of State

Usury Rate for July

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of July 1, 1994 through July 31, 1994, is 10.32 percent.

Bill Graves
Secretary of State

Doc. No. 015071

State of Kansas

State Records Board

Notice of Meeting

The Kansas State Records Board will meet at 10 a.m. Thursday, July 14, in the conference room on the second floor of the Memorial Building, 120 W. 10th, Topeka. The board will consider requests from state agencies submitting proposals for retention and disposition of non-current government records.

In addition, general administrative matters and other business will be discussed.

Patricia A. Michaelis
State Archivist

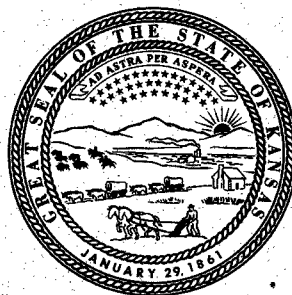
Doc. No. 015067

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Topeka, KS 66612-1594
(913) 296-2236



Kansas Register Office:
235-N, State Capitol
(913) 296-3489

State of Kansas

State Emergency Response Commission

Notice of Meeting

The State Emergency Response Commission will meet at 9 a.m. Thursday, July 14, in Room 11 of the State Defense Building, 2800 S. Topeka Blvd., Topeka.

Robert C. Harder
Secretary of Health and Environment

Doc. No. 015078

State of Kansas

Secretary of State

Notice of Judgment Interest Rate

Pursuant to the provisions of K.S.A. 16-204, the rate of interest on judgments rendered by courts of the state of Kansas pursuant to the code of civil procedure is 7.5 percent during the period of July 1, 1994 through June 30, 1995.

Bill Graves
Secretary of State

Doc. No. 015072

State of Kansas

Social and Rehabilitation Services

Notice of Basic Maximum Daily Rate of Charge for State Institutions

In compliance with K.S.A. 59-2006b(a), the following per patient day costs for fiscal year 1995 will be the basic maximum daily rate of charge, effective July 1, 1994, for the following state institutions:

Table with 2 columns: Institution Name and Rate. Includes Parsons State Hospital and Training Center (\$230.51), Winfield State Hospital and Training Center (\$290.66), and Kansas Neurological Institute (\$271.29).

In compliance with K.S.A. 59-2006b(c), the following state institutions are hereby authorized to compute an individual patient charge on the basis of rates for services based on costs incurred by such state institutions as determined by application of generally acceptable hospital accounting principles: Topeka State Hospital; Oswatomie State Hospital; Larned State Hospital, including the State Security Hospital; and Rainbow Mental Health Facility.

Donna L. Whiteman
Secretary of Social and Rehabilitation Services

Doc. No. 015080

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 11 through July 24:

Table with 5 columns: Date, Room, Time, Committee, and Agenda. Lists various legislative committee meetings from July 12 to July 21, including Joint Committee on Special Claims Against the State, Joint Committee on Computers and Telecommunications, Legislative Budget Committee, Telecommunications Strategic Planning Committee, Legislative Post Audit, Joint Committee on Administrative Rules and Regulations, and Legislative Coordinating Council.

Emil Lutz
Director of Legislative Administrative Services

Doc. No. 015082

State of Kansas

Department of Wildlife and Parks

Public Notice

Notice is hereby given that the Kansas Department of Wildlife and Parks has reached an agreement for the purchase of 40 acres in Ford County, Kansas. The legal description is the NE 1/4 of the NE 1/4 of Section 13, T26S, R23W. This tract is part of the Playa Wetlands Program and will remain on the county tax rolls.

Ted Ensley
Secretary of Wildlife and Parks

Doc. No. 015074

State of Kansas

Grain Inspection Department

Notice of Hearing on Proposed Administrative Regulations

The Kansas State Grain Inspection Department will conduct a public hearing regarding adoption of amended K.A.R. 25-4-1 as a temporary regulation and as a permanent regulation. The hearing will be at 10 a.m. Monday, August 8, in the conference room of the Kansas State Grain Inspection Department, 700 Jackson, Suite 800, Topeka.

The temporary regulation, if adopted, will become effective upon approval of the State Rules and Regulations Board and filing with the Secretary of State.

The Kansas State Grain Inspection Department proposes to drop the words "edible beans" under the Agricultural Marketing Act of 1946 services. There are many services covered under the A.M.A. Eliminating the words "edible beans" will allow the department to provide other services under the A.M.A., including inspections of confectionery sunflowers and popcorn.

All interested parties may submit written comments during the 30-day notice period prior to the hearing to the Director, Kansas State Grain Inspection Department, P.O. Box 1918; Topeka 66601-1918. All interested parties will be given a reasonable opportunity to present their views on the proposed regulations during the hearing.

Copies of the full text of the regulations and economic impact statement may be obtained by contacting the director at the address above, (913) 296-3451.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Rebecca Fleming at (913) 296-3451 or the Kansas Relay Center, 1-800-766-3777.

Lee Hamm
Director

Doc. No. 015066

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 32,000 cubic yard detention dam and 29,000 cubic yard detention dam, Site 8-5 and Site 8-30 in Douglas County, will be received by the Taury Creek Watershed Joint District No. 82 at King Engineering, Inc., 125 W. 4th, Holton 66436, until 5 p.m. July 25, or may be hand carried and submitted prior to bid opening at 7 p.m. July 25 at the Baldwin City Library, 800 7th St., Baldwin City (no phone available). A copy of the invitation for bids and plans and specifications can be obtained from King Engineering, Inc., (913) 364-4312. A \$25 returnable deposit is required for each set of plans.

Kenneth F. Kern
Executive Director

Doc. No. 015090

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

Applications set for hearing are to be heard at 9:30 a.m. July 26 before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, unless otherwise noticed. This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3146.

Your attention is invited to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

The State Corporation Commission has scheduled the following applications for hearing. Anyone needing special accommodations shall give notice to the commission 10 days prior to the scheduled hearing date.

Application for Certificate of Convenience and Necessity:

A-Plus, Inc.) Docket No. 186,796 M
3134 S. West St.)
Wichita, KS 67217) MC ID No. 148282

Applicant's Attorney: John Jandera, 2101 S.W. 21st, P.O. Box 237, Topeka, KS 66601-0237

General commodities (except household goods, classes A and B explosives),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Freddie E. Ardrey, dba) Docket No. 189,614 M
Fred Ardrey Trucking Co.)
7411 Hwy. 196)
Lamar, CO 81052) MC ID No. 150172

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Grain, feed, feed ingredients, fertilizer, fertilizer materials, seed, salt, livestock and building and construction materials (restricted against the transportation of hazardous materials),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Argee Transport Co.) Docket No. 150,625 M
2079 Hwy. 71)
Audubon, IA 50025-7539) MC ID No. 124981

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

General commodities (except hazardous materials, commodities in bulk and household goods),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Walter Brewer, dba) Docket No. 190,343 M
Walter Brewer Trucking)
Route 1, Box 54)
Morland, OK 74644) MC ID No. 150,385 M

Applicant's Attorney: None

General commodities (except household goods, classes A and B explosives and hazardous materials),

Between all points and places in the state of Kansas.

Renoticed Application for Extension of Certificate of Convenience and Necessity:

D-K Express, Inc.) Docket No. 168,453 M
Route 1, Box 13D)
Oakley, KS 67748) MC ID No. 135819

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 124, 3601 W. 29th, Topeka, KS 66614

Livestock, grain, hay, feed, feed ingredients, salt, seeds, fertilizer (except anhydrous ammonia and ammonium nitrate), building and construction materials, iron and steel articles, fencing materials and machinery (restricted, however, to transport no hazardous materials),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

E & V Motors, Inc.) Docket No. 171,326 M
109 Industrial Road)
Halstead, KS 67056) MC ID No. 137690

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 124, 3601 W. 29th, Topeka, KS 66614

Wrecked, disabled, repossessed and replacement motor vehicles, trailers, recreational vehicles, recreational trailers, golf carts, campers, pick up toppers, boats and motorcycles,

Between all points and places in the state of Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Raymond O. and Jayne A.) Docket No. 177,592 M
Eves, dba)
R.O. Eves Trucking)
3670 W. Jones) MC ID No. 141284
Garden City, KS 67846

TO:
R.O. Eves Trucking, Inc.
3670 W. Jones
Garden City, KS 67846

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Grain, dry feed and dry feed ingredients,

Between all points and places in Wallace, Greeley, Hamilton, Stanton, Morton, Stevens, Grant, Kearny, Wichita, Scott, Finney, Haskell, Seward, Meade, Gray, Lane, Ness, Hodgeman, Ford, Clark, Comanche, Kiowa, Edwards, Pawnee, Rush, Barton, Stafford, Pratt, Barber, Reno, McPherson and Sedgwick counties, Kansas.

Also,

Between all points and places in the above named counties, on the one hand, and the state of Kansas, on the other.

Application for Extension for Certificate of Convenience and Necessity:

R.O. Eves Trucking, Inc.) Docket No. 177,592 M
3670 W. Jones)
Garden City, KS 67846) MC ID No. 141284

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Grain, feed, feed ingredients, fertilizer, fertilizer materials, seed, salt, livestock, food and related products, building and construction materials and machinery),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Jett Fromholtz, dba) Docket No. 190,342 M
Fromholtz Body Shop)
St. Francis, KS 67756) MC ID No. 150384

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 124, 3601 W. 29th, Topeka, KS 66614

Wrecked, disabled, repossessed and replacement motor vehicles, trailers, recreational vehicles, recreational vehicle components, recreational trailers, golf carts, campers, pick up toppers, boats and motorcycles,

Between all points and places in Cheyenne, Sherman, Wallace, Greeley, Rawlins, Thomas, Logan, Wichita, Scott, Decatur, Sheridan, Gove, Lane, Norton, Graham, Trego, Ness, Phillips, Rooks, Ellis, Rush, Smith, Osborne, Russell, Barton, Jewell, Mitchell, Lincoln, Ellsworth, Rice, Republic, Cloud, Ottawa, Saline and McPherson counties.

Also,

(continued)

Between points and places in the above-described counties, on the one hand, and points and places in the state of Kansas, on the other hand.

Application for Certificate of Convenience and Necessity:

LinDale Grain Company, Inc.) Docket No. 190,341 M
P.O. Box 125)
Williamsburg, KS 66095) MC ID No. 150383

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 124, 3601 W. 29th, Topeka KS 66614

Livestock, hay, grain, feed, feed ingredients, fertilizer, salt, seeds, building and construction materials, fencing materials and machinery (restricted, however, to transport no hazardous materials),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Brent A. Murray, dba) Docket No. 190,344 M
Brooks House Moving)
217 S. Dittman Ave.)
Frontenac, KS 66763) MC ID No. 150386

Applicant's Attorney: Donald D. Friend III, 4th and Broadway, P.O. Box 610, Pittsburg, KS 66762-0610

Houses, buildings, movable structures, and materials and supplies incidental to the use and occupancy of these units (restricted, however, to transportation of no hazardous materials),

Between all points and places in Johnson, Miami, Linn, Woodson, Allen, Bourbon, Wilson, Neosho, Crawford, Montgomery, Labette, Cherokee, Leavenworth, Wyandotte, Douglas, Franklin, Coffey and Anderson counties, Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Quick Transfer, Inc.) Docket No. 143,976 M
1726 Lawrence Lane)
Wichita, KS 67206) MC ID No. 104597

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

General commodities (except household goods, classes A and B explosives and commodities in bulk),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Dean A. Reynolds, dba) Docket No. 190,153 M
Dean A. Reynolds)
Trucking Ent.)
912 Lake Drive)
Cawker City, KS 67430) MC ID No. 150490

Applicant's Attorney: None

Livestock, grain, dry feed, dry feed ingredients, dry fertilizer, dry fertilizer ingredients (except ammonium nitrate), salt, seed, hay, building materials,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Frank E. Walker, dba) Docket No. 145,866 M
F & O Roustabouts)
Route 1, Box 129)
Hugoton, KS 67951) MC ID No. 122246

TO:

F & O Roustabout, Inc.
823 E. 11th
Hugoton, KS 67951

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Oilfield equipment, machinery, materials and supplies, heavy machinery and buildings,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Wedel Farms Trucking, Inc.) Docket No. 190,340 M
Route 2, Box 39)
Copeland, KS 67837) MC ID No. 150382

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Grain, feed, feed ingredients, fertilizer, fertilizer materials, salt, seed, livestock, building and construction materials and machinery (restricted against the transportation of hazardous materials),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Edman J. Weekley, Jr., dba) Docket No. 128,282 M
Weekley's Auto Salvage)
Route 1, Box 74)
Carbondale, KS 66414) MC ID No. 114559

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement vehicles,

Between all points and places in Osage, Shawnee, Lyon, Wabaunsee, Douglas and Franklin counties, Kansas, on the one hand, and all points and places in the state of Kansas, on the other.

Don Carlile
Administrator
Transportation Division

Doc. No. 015089

State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. The following appointments were filed June 16-30:

Advisory Council on Aging

Lu Janzen, Chairperson, 310 Willow Road, Hillsboro 67063. Serves at the pleasure of the Governor. Succeeds Charles Oldfather, Jr.

Charles Oldfather, Jr., Route 5, Lawrence 60046. Term expires June 30, 1997. Reappointment.

Marge Zakoura-Vaughan, 1033 Eastern, Wichita 67207. Term expires June 30, 1997. Reappointment.

Governor's Commission on Autism

Rebecca L. Flaton, 3604 Gabriel, #124, Parsons 67357. Serves at the pleasure of the Governor. Succeeds Robin Wells.

State Building Advisory Commission

John C. Gaunt, University of Kansas School of Architecture and Urban Design, 206 Marvin Hall, Lawrence 66045. Term expires June 30, 1996. Succeeds Eugene Kremer.

Corporation for Change
Board of Directors

Fran Jackson, 3316 N. Oliver, Wichita 67220. Term expires June 30, 1998. Reappointment.

Joyce V. Romero, 4003 S.E. 34th, Topeka 66605. Term expires June 30, 1998. Reappointment.

Eva Tucker, 8220 Splitlog, Kansas City, KS 66112. Term expires June 30, 1998. Reappointment.

Kansas Commission for Deaf and
Hard of Hearing

Tracy Lundstedt, 209 E. 11th, Ellis 67637. Term expires April 29, 1997. Succeeds E. Basil Kessler.

Dealer Review Board

Harry Perry, 1029 Meadow Lane, Topeka 66604. Term expires June 30, 1997. Reappointment.

Ray Shepherd, P.O. Box 112, Fort Scott 66701. Term expires June 30, 1997. Reappointment.

Downer Tyler, 5006 S.W. 28th, Topeka 66614. Term expires June 30, 1997. Reappointment.

Janet Waugh, 3419 Gibbs Road, Kansas City 66106. Term expires June 30, 1997. Reappointment.

Coordinating Council on Early Childhood
Developmental Services

Donna Daily, CRU/UAP - 1000 CRU, University of Kansas Medical Center, 3901 Rainbow Blvd., Kansas City, KS 66160. Term expires June 30, 1998. New position.

Nancie Linville, Russell Child Development Center, 714 Ballanger, Garden City 67846. Term expires July 31, 1997. Succeeds Nanette Harris.

Judy Moler, Corporation for Change, 700 S.W. Jackson, Suite 902, Topeka 66603. Term expires July 31, 1995. Succeeds Nancy Peterson, resigned.

Marilyn Myer, HCI, Box 32A, Menlo 67753. Term expires June 30, 1998. New position.

Kansas Export Loan Guarantee
Review Committee

James W. Parmalee, Taylor Forge Engineered Systems, Inc., 1st and Iron, Paola 66071. Term expires June 30, 1996. New position.

Kansas Film Services Commission

Martha Slater, 1802 N. Plum, P.O. Box 2104, Hutchinson 67504. Term expires June 30, 1997. Reappointment.

Kansas Information Resources Council

(Established by 1994 Session Laws of Kansas, Chapter 340. Terms expire December 31, 1995.)

Joanne E. Hurst, Secretary of Aging, Department on Aging, Room 122-S, Docking State Office Building, 915 S.W. Harrison, Topeka 66612.

Lisa Moots, Director, Kansas Sentencing Commission, 700 S.W. Jackson, Suite 501, Topeka 66603.

Susan M. Seltam, Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604.

Gary Stotts, Secretary of Corrections, Department of Corrections, 4th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka 66612.

Northeast Kansas Regional Library System

Bruce Henricksen, 2108 N.W. 53rd, Topeka 66618. Term expires June 30, 1998. Succeeds Dennis Bosley.

Emily Stoll, Route 1, Holton 66436. Term expires June 30, 1998. Reappointment.

Northwest Kansas Regional Library System

Henry Doxon, Gove 67736. Term expires June 30, 1998. Reappointment.

Wilma Mai, HC 1, Box 360, Sharon Springs 67758. Reappointment.

Southeast Kansas Regional Library System

Judy Peterson, Route 1, Liberty 67351. Term expires June 30, 1998. Succeeds Betty Moore.

Betty Standfast, Route 1, Box 10, St. Paul 66771. Term expires June 30, 1998. Reappointment.

Southwest Kansas Regional Library System

Nola Ochs, Route 1, Jetmore 67854. Term expires June 30, 1998. Succeeds Richard P. McDonald.

Betty Scott, Route 1, Box 100, Kinsley 67547. Term expires June 30, 1998. Succeeds Freya Flick.

Board of Examiners in Optometry

Diana L. Carriger, 1001 S.W. Mulvane, Topeka 66604. Term expires April 20, 1997. Succeeds Larry Harris.

State Examining Committee for
Physical Therapy

Candy Bahner, Route 1, Box 89, Belvue 66407. Term expires June 30, 1998. Succeeds Joan Arterburn.

Bill Graves
Secretary of State

(Published in the Kansas Register, July 7, 1994.)

**Notice of Call for Mandatory Redemption
to the registered owners of
Kansas Development Finance Authority
K DFA Revenue
(Kansas Dept. Admin. Wichita Office Bldg.)
Series A, 1987**

Notice is hereby given that pursuant to the provisions of Section 302(b) of Resolution No. 1 of Kansas Development Finance Authority (the issuer), the above-mentioned bonds scheduled to mature on December 1, 1994, and thereafter (the called bonds), have been called for mandatory redemption and payment on July 28, 1994 (the redemption date), at the principal office of the Kansas State Treasurer (the bond registrar and paying agent).

Maturity Date	Principal Amount	Interest Rate	Cusip Nos.
12-1-94	\$135,000.00	7.40%	485426AL4
06-1-95	140,000.00	7.40%	485426AM2
12-1-95	145,000.00	7.40%	485426AN0
06-1-96	150,000.00	7.40%	485426AP5
12-1-96	155,000.00	7.40%	485426AQ3
06-1-97	165,000.00	7.60%	485426AR1
12-1-97	170,000.00	7.60%	485426AS9
06-1-98	175,000.00	7.80%	485426AT7
12-1-98	185,000.00	7.80%	485426AU4
06-1-99	190,000.00	8.00%	485426AV2
12-1-99	200,000.00	8.00%	485426AW0
06-1-00	205,000.00	8.10%	485426AX8
12-1-00	215,000.00	8.10%	485426AY6
06-1-01	225,000.00	8.20%	485426AZ3
12-1-01	235,000.00	8.20%	485426BA7
06-1-02	240,000.00	8.30%	485426BB5
12-1-02	250,000.00	8.30%	485426BC3
06-1-03	260,000.00	8.40%	485426BD1

On the redemption date there shall become due and payable, upon the presentation and surrender of each such called bond, the redemption price thereof equal to 100.50 percent of the principal amount thereof together with interest accrued to the redemption date. Interest shall cease to accrue on the called bonds so called for redemption from and after the redemption date provided such funds for redemption are on deposit with the paying agent.

Under the provisions of the Internal Revenue Code, paying agents making payment of principal on municipal securities may be obligated to withhold 31 percent of the payment of principal to owners who have failed to provide that paying agent with a valid taxpayer identification number. Owners of the above described securities will avoid such withholding by providing a certified taxpayer identification number when presenting securities for payment.

The CUSIP Number is provided solely for informational purposes and the trustee makes no representation as to the accuracy of the CUSIP number.

Bonds so called shall be submitted to the Office of the State Treasurer, 900 S.W. Jackson, Topeka, KS 66612-1235, Attn: Bond Services. For prompt payment, please submit bonds two weeks prior to July 28, 1994.

Office of the State Treasurer
Topeka, Kansas
as Bond Registrar and Paying Agent

Doc. No. 015077

State of Kansas

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1993 Supp. 75-4210. These rates and their uses are defined in K.S.A. 75-4201(1), 12-1675(b)(c)(d) and 75-4209(a)(1)(B), as amended.

Effective 7-11-94 through 7-17-94

Term	Rate
0-90 days	4.05%
3 months	4.42%
6 months	5.08%
9 months	5.38%
12 months	5.53%
18 months	5.91%
24 months	6.18%
36 months	6.51%
48 months	6.81%

Sally Thompson
State Treasurer

Doc. No. 015088

(Published in the Kansas Register, July 7, 1994.)

Summary Notice of Bond Sale

City of Eudora, Kansas
\$225,000

General Obligation Bonds, Series 1994
(General obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated June 27, 1994, sealed bids will be received by the clerk of the city of Eudora, Kansas (the issuer), on behalf of the governing body at City Hall, 4 E. 7th, Eudora, KS 66025, until 7:30 p.m. C.D.T. on July 14, 1994, for the purchase of \$225,000 principal amount of General Obligation Bonds, Series 1994. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 1994, and will become due on October 1 in the years as follows:

Year	Principal Amount
1995	\$20,000
1996	20,000
1997	20,000
1998	20,000
1999	20,000
2000	25,000
2001	25,000
2002	25,000
2003	25,000
2004	25,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semi-

annually on April 1 and October 1 in each year, beginning on April 1, 1995.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$4,500 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before August 4, 1994, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1993 is \$13,017,783. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$225,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (913) 542-2153, or from the financial advisor, First Securities Company of Kansas, Inc., 200 Hardage Center, 100 S. Main, Wichita, KS 67202, Attn: Larry L. McKown, (316) 262-4411.

Dated June 27, 1994.

City of Eudora, Kansas

Doc. No. 015086

(Published in the Kansas Register, July 7, 1994.)

Summary Notice of Bond Sale

City of Goddard, Kansas

\$200,000

General Obligation Bonds, Series 1994

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated June 20, 1994, sealed bids will be received by the clerk of the city of Goddard, Kansas (the issuer), on behalf of the governing body at City Hall, 122 N. Main, Goddard, KS 67052, until 7 p.m. C.D.T. on July 18, 1994, for the purchase of \$200,000 principal amount of General Obligation Bonds, Series 1994. No bid of less than the entire par value of the bonds, except a discount of not greater than 1 percent of the par value of the bonds, and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 1994, and will become due on October 1 in the years as follows:

Year	Principal Amount
1995	\$20,000
1996	20,000
1997	20,000
1998	20,000
1999	20,000
2000	20,000
2001	20,000
2002	20,000
2003	20,000
2004	20,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semi-annually on April 1 and October 1 in each year, beginning on April 1, 1995.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$4,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before August 24, 1994, at such bank or trust company in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1993 is \$10,990,453. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$2,063,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 794-2441, or from the financial advisor, George K. Baum & Company, Wichita, Kansas, Attention: Charles M. Bouilly, (316) 264-9351.

Dated June 20, 1994.

City of Goddard, Kansas

Doc. No. 015083

(Published in the Kansas Register, July 7, 1994.)

**Summary Notice of Bond Sale
Unified School District 393**

Dickinson County, Kansas (Solomon)

\$3,000,000

**General Obligation School Building Bonds
Series 1994**

**(General obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale dated June 23, 1994, sealed bids will be received by the clerk of Unified School District 393, Dickinson County, Kansas (Solomon)(the issuer), on behalf of the governing body at 400 N. Walnut, P.O. Box 247, Solomon, KS 67480, until 7:30 p.m. C.D.T. on July 21, 1994, for purchase of \$3,000,000 principal amount of General Obligation School Building Bonds, Series 1994. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 15, 1994, and will become due on September 1 in the years as follows:

Year	Principal Amount
1996	\$ 60,000
1997	95,000
1998	100,000
1999	105,000
2000	115,000
2001	120,000
2002	130,000
2003	135,000
2004	140,000
2005	150,000
2006	160,000
2007	170,000
2008	180,000
2009	190,000
2010	200,000
2011	215,000
2012	230,000
2013	245,000
2014	260,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semi-annually on March 1 and September 1 in each year, beginning on March 1, 1995.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$60,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before

August 21, 1994, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1993 is \$11,514,239. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$3,000,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (913) 665-2541, or from the financial advisor, Ranson Capital Corporation, 120 S. Market, Suite 480, Wichita, KS 67202, Attn: Stephen E. Shogren, (316) 262-2651.

Dated June 23, 1994.

Unified School District 393
Dickinson County, Kansas (Solomon)

Doc. No. 015085

(Published in the Kansas Register, July 7, 1994.)

**Summary Notice of Bond Sale
\$29,140,000**

**Aggregate Principal Amount
General Obligation Bonds
Series 736 and Series 737**

of the

City of Wichita, Kansas

**(General obligation bonds payable from
unlimited ad valorem taxes)**

Subject to the terms and conditions of the complete official notice of bond sale, dated June 28, 1994, of the city of Wichita, Kansas, in connection with the city's hereinafter described General Obligation Bonds, sealed, written bids for the purchase of each said series of bonds shall be received at the office of the mayor, first floor, City Hall, 455 N. Main, Wichita, Kansas, until 10:30 a.m. Central Time on Tuesday, July 19, 1994. Each series of bonds shall be sold separately. Bidders may bid on either or both series of bonds, but must bid on the entire amount of a series. All bids shall be publicly opened and read aloud on said date and at said time and place. The bids will be considered and the bonds will be awarded by the city council in the city council chambers, City Hall, at 11:30 a.m. on July 19, 1994.

No oral or auction bid for the bonds shall be considered; no bid for less than the entire principal amount of a series of bonds shall be considered. Bids will be accepted only on the official bid form which has been prepared for each series of bonds, and which may be obtained from the office of the director of finance. Bids may be submitted by mail or may be delivered in person, but

must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the series of bonds for which the bid is submitted.

Description of the Bonds

The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount maturing in each year. The bonds shall bear a dated date of August 1, 1994, and shall bear interest at the rates specified by the successful bidder.

General Obligation Bonds, Series 736

The Series 736 Bonds will be issued in the aggregate principal amount of \$12,750,000; interest thereon shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 1995; and the Series 736 Bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$ 520,000	1995
605,000	1996
640,000	1997
675,000	1998
710,000	1999
750,000	2000
790,000	2001
835,000	2002
880,000	2003
925,000	2004
970,000	2005
1,025,000	2006
1,080,000	2007
1,140,000	2008
1,205,000	2009

General Obligation Bonds, Series 737

The Series 737 Bonds will be issued in the aggregate principal amount of \$16,390,000; interest thereon shall be payable semiannually on June 1 and December 1 of each year, commencing June 1, 1995; and the Series 737 Bonds shall mature serially on June 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$1,635,000	1995
1,635,000	1996
1,640,000	1997
1,640,000	1998
1,640,000	1999
1,640,000	2000
1,640,000	2001
1,640,000	2002
1,640,000	2003
1,640,000	2004

Paying Agent and Bond Registrar; Payment of Principal and Interest

The Chase Manhattan Bank, N.A., New York, New York, shall serve as bond registrar and paying agent for

the bonds. Interest will be payable by check or draft of the paying agent mailed to the registered owners of the bonds. Principal will be payable upon surrender of bonds to the paying agent.

Redemption

Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

Delivery

The bonds, duly printed, executed and registered, shall be delivered at the expense of the city to the successful bidder on or about August 25, 1994. (Reference is made to the official notice of bond sale and the city's preliminary official statement.)

Legal Opinion

Hinkle, Eberhart & Elkouri, L.L.C., Wichita, Kansas. All fees and expenses of bond counsel shall be paid by the city. (Reference is made to the official notice of bond sale and the city's preliminary official statement.)

Security

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. (Reference is made to the official notice of bond sale and the city's preliminary official statement.)

Ratings

The city's outstanding general obligation bonds issued since 1975 have been rated "Aa" by Moody's Investors Service, Inc. and "AA" by Standard & Poor's Corporation. The city has applied to both of said rating services for ratings on the bonds described herein.

Financial Matters

The city's equalized assessed tangible valuation for computation of bonded debt limitations is \$1,746,339,714. The total outstanding general obligation bonded indebtedness of the city at August 1, 1994, will be \$299,990,000. This amount does not include the within described bonds.

Official Statement

The city has authorized and directed preparation of a preliminary official statement dated June 28, 1994, in connection with the bonds. Said preliminary official statement is in a form "deemed final" by the city for purposes of the Securities Exchange Commission's Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Not later than seven business days after the date of the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without cost.

Additional Information

Copies of the official notice of bond sale, official bid form and preliminary official statement may be obtained from the city's Department of Finance, City Hall, 25th Floor, 455 N. Main, Wichita, KS 67202-1679 (Allen Bell, Financial Projects Director, 316-267-4434).

City of Wichita, Kansas
By: Pat Burnett, Deputy City Clerk

Doc. No. 015093

(Published in the Kansas Register, July 7, 1994.)

Summary Notice of Bond Sale
\$7,600,000
Unified School District 434
Osage County, Kansas
General Obligation School Building Bonds
Series 1994

2006	400,000
2007	420,000
2008	445,000
2009	475,000
2010	505,000
2011	535,000
2012	570,000
2013	605,000
2014	645,000

Sealed Bids

Sealed bids for the purchase of \$7,600,000 principal amount of General Obligation School Building Bonds, Series 1994, of Unified School District 434, Osage County, Kansas, hereinafter described, will be received by the undersigned district clerk of Unified School District 434, Osage County, Kansas, on behalf of the governing body of the district at the district's administrative offices, Route 1, Box 434, Carbondale, KS 66414, until 7:30 p.m. C.D.T. on Monday, July 18, 1994. All bids will be publicly opened and read at said time and place and will be acted upon by the district immediately thereafter. No oral or auction bids will be considered.

Bidders may deliver a bid to the district clerk, or they may telephone or telefax it to the district clerk prior to the said time and date. Bidders who transmit their bid by telephone or telefax must undertake the following: (a) send the "good faith" check and a blank copy of the official proposal form for the bonds in time to be received by the district not less than one business day prior to the date of sale; (b) the blank proposal must provide the name and telephone number of the authorized representative of the lead manager of each account signed by such representative and must list the members of the account on the back thereof. On the date of the sale, the authorized representative of the account may transmit to the district, by telephone or telefax, the bid for the bonds. The signed proposal will be completed by the district with such information. Telephone bids must be made to the district clerk at (913) 665-7168. Telefax transmissions must be sent to (913) 665-7164. The district will not accept responsibility for inaccurate bids submitted through the telephone or telefax, including garbled transmissions, or the inability of a bidder to access the telephone or telefax number prior to the indicated sale time.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 15, 1994, and will become due serially on September 1 in the years as follows:

Year	Principal Amount
1995	\$ 65,000
1996	220,000
1997	235,000
1998	250,000
1999	265,000
2000	280,000
2001	300,000
2002	320,000
2003	335,000
2004	355,000
2005	375,000

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1995. Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Optional Municipal Bond Insurance

The district will apply for municipal bond insurance relating to the bonds. If approved for municipal bond insurance, the bonds may be purchased with or without such insurance at the option of the successful bidder. The premium for such insurance and any relating rating fee will be paid for by the successful bidder.

Security for the Bonds

The bonds will be general obligations of the district payable as to both principal and interest from ad valorem taxes which may be levied, without limitation as to rate or amount on all the taxable tangible property, real and personal, within the territorial limits of the district.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the district, printed on the bonds and delivered to the successful bidder when the bonds are delivered. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Delivery and Payment

The district will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or about August 18, 1994, at such bank or trust company in the state of Kansas or greater Kansas City, Missouri, metropolitan area as may be specified by the successful bidder. Delivery elsewhere will be at the bidder's expense.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$152,000, payable to the order of the district to secure the district from any loss resulting from the failure of the bidder to comply with the terms of the bid.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the district for the year 1993 is \$25,108,310. The total general obligation bonded indebtedness of the district as of the date of the bonds, including the bonds, is \$7,600,000.

Additional Information

For additional information regarding the district, the bonds, and the sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the district's preliminary official statement for the bonds, all of which may be obtained from the clerk of the district at the address and telephone number below or from the district's financial advisors, Ranson Capital Corporation, 120 S. Market, Suite 450, Wichita, KS 67202, Attention: Stephen B. Shogren, (316) 262-4955.

Dated June 28, 1994.

Unified School District 434
Osage County, Kansas
Connie Romine, District Clerk
Route 1, Box 434
Carbondale, KS 66414
(913) 665-7168

Doc. No. 015073

(Published in the Kansas Register, July 7, 1994.)

**Summary Notice of Bond Sale
Unified School District 265**

**Sedgwick County, Kansas (Goddard)
\$19,800,000**

**General Obligation School Building Bonds
Series 1994**

**(General obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale dated July 7, 1994, sealed bids will be received by the clerk of Unified School District 265, Sedgwick County, Kansas (Goddard) (the issuer), on behalf of the governing body at 201 S. Main, Goddard, KS 67052, (316) 794-2267, until noon C.D.T. on July 20, 1994, for the purchase of \$19,800,000 principal amount of General Obligation School Building Bonds, Series 1994. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 15, 1994, and will become due on October 1 in the years as follows:

Year	Principal Amount
1997	\$ 10,000
1998	60,000
1999	100,000
2000	155,000
2001	215,000
2002	685,000

2003	1,150,000
2004	1,265,000
2005	1,385,000
2006	1,510,000
2007	1,650,000
2008	1,800,000
2009	1,960,000
2010	2,135,000
2011	2,320,000
2012	2,520,000
2013	880,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semi-annually on April 1 and October 1 in each year, beginning on April 1, 1995.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$396,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before August 10, 1994, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1993 is \$63,401,364. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$23,775,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 794-2267, or from the financial advisor, Ranson Capital Corporation, 120 S. Market, Suite 450, Wichita, KS 67202, (316) 262-4955, Attn: Stephen E. Shogren.

Dated July 7, 1994.

Unified School District 265
Sedgwick County, Kansas (Goddard)

Doc. No. 015084

State of Kansas

**Department of Corrections
Kansas Correctional Industries**

Notice to Bidders

Sealed bids for state of Kansas surplus property (Quotation: JulBid95) will be received by State Surplus Property, Building 344, Forbes Air Industrial Park, P.O. Box 19226, Topeka 66619-0226, until 4:30 p.m. Wednesday, August 17, and then will be publicly opened at 8 a.m. Thursday, August 18. Interested bidders may call (913) 296-2334 for additional information.

Steven R. Magee
Director, State Surplus Property

Doc. No. 015079

State of Kansas

**Department of Health
and Environment**

Notice of Meeting and Hearing

The Kansas Department of Health and Environment has prepared a Kansas water pollution control permit for a Unified School District 266 school facility located near Maize. The permit for this facility was placed on Public Notice No. KS-94-42/44 dated June 2 through July 1, 1994. The Kansas Department of Health and Environment received significant public response in the form of two letters and a petition signed by 158 people; therefore, the Kansas Department of Health and Environment will conduct a public information meeting at 7 p.m. Tuesday, July 12, at the Maize High School Commons, Maize.

The meeting will consist of introductory remarks including the Kansas Department of Health and Environment's responses to the questions provided on the petition, followed by an open public question and answer period.

The Kansas Department of Health and Environment also will conduct a public hearing on the Unified School District 266 wastewater treatment permit. The hearing has been scheduled for 7 p.m. Tuesday, August 9, at the Maize High School Commons, Maize. The hearing will consist of introductory remarks by the Kansas Department of Health and Environment, followed by testimony from other interested parties.

The Secretary of Health and Environment will make a final permit decision after consideration of all comments received and of all requirements of state statutes and regulations.

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 015091

State of Kansas

**Department of Health
and Environment**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at the KDHE open meeting, 9 a.m. Tuesday, August 23, in the auditorium of the Kansas Historical Society, 120 W. 10th, Topeka, to consider the proposed changes in existing radiation rules and regulations. These regulations are proposed for adoption on a permanent basis. A summary of proposed regulations and the economic impact follows:

Proposed amendments to K.A.R. 28-35-135, 28-35-199a, 28-35-211a, 28-35-212a, 28-35-212b, 28-35-213a, 28-35-214a, 28-35-217a, 28-35-219a, 28-35-220a, 28-35-221a, 28-35-221b, 28-35-222a, 28-35-223a, 28-35-224a, 28-35-225a, 28-35-226a, 28-35-228a, 28-35-229a, 28-35-230a, 28-35-230b, 28-35-231b, 28-35-333, 28-35-334.

New regulations K.A.R. 28-35-144a, 28-35-211c, 28-35-211d, 28-35-212c, 28-35-212d, 28-35-212e, 28-35-212f, 28-35-212g, 28-35-213b, 28-35-214b, 28-35-217b, 28-35-227b, 28-35-227c, 28-35-227d, 28-35-227e, 28-35-227f, 28-35-227g, 28-35-227h, 28-35-227i, 28-35-227j, 28-35-227k, 28-35-227l, 28-35-230c, 28-35-230d, 28-35-230e, 28-35-230f.

Revocation of K.A.R. 28-35-215a, 28-35-227a, 28-35-233a and 28-35-234a.

These regulatory actions will implement the provisions of K.S.A. 48-1601 et seq. and the agreement between the United States Nuclear Regulatory Commission (USNRC) and the state of Kansas to provide for compatible regulation of radiation throughout the state.

General Background for Regulatory Changes

Revisions to the USNRC regulations in 10 CFR Part 20 were adopted in 1990 with the provision that all USNRC licensees would change their programs to reflect the changes by January 1, 1994. In order to offer a compatible program for those licensees who possess and use radioactive materials and radiation in both Kansas and areas where USNRC retains jurisdiction (e.g. the states of Oklahoma and Missouri) it is necessary to amend the regulations to reflect the new language, including K.A.R. 28-35-135, and those regulations where the new language is used. The amendment, in addition to developing new language, introduces new concepts in radiation control developed in the past 20 years. In general, these include the ability to sum the doses received by individuals from radiation originating outside the body of the individual and that received from radioactive materials deposited inside the body of the individual. The previous practice of permitting higher exposures based on the age of individuals has been found to be inappropriate and has been removed from the proposed regulations. The remaining changes are intended only to clarify these changes. Analysis by KDHE has indicated that the total cost of implementing these changes to the state will be very small. The scope of the regulated community and the manner of licensing and documenting compliance will not be changed nor will additional staff in radiation control programs be needed. Costs to the regulated community will primarily be those associated

with revising the recordkeeping system, which will be limited to those licensees or registrants where significant internal deposition of radioactive materials combined with external exposure to radiation occurs. No new fees are included in this proposed amendment.

Description and Purpose of Specific Regulations

Amendments to K.A.R. 28-35-135. Definitions. Proposed revisions to K.A.R. 28-35-135 define and clarify a number of terms used in the new and revised regulations. Notable among these are definitions of effective dose equivalent and the terms needed to calculate this new dose evaluation concept. This includes definitions of annual limit on intake (ALI), derived air concentration (DAC), collective dose, committed dose equivalent, external dose, internal dose, quality factor, reference man, stochastic effect, weighting factor, and total effective dose equivalent. These concepts permit the combination of the internal and external exposure into a single dose. Additional definitions relating to the doses received by the public and embryo/fetus are included to permit clarification of issues not previously acknowledged clearly in the regulations either nationally or in the state regulations. Recent legal and regulatory clarifications have made this possible and necessary.

Amendments to K.A.R. 28-35-199a. Schedule D. Proposed revisions to this regulation are to acknowledge the changes in the evaluation of specific radioactive materials as drugs by the United States Food and Drug Administration. It is no longer necessary or useful to list each drug in this schedule.

Amendments to K.A.R. 211a. Radiation protection standards. Proposed revisions include the statements needed to remain compatible with USNRC and use the updated language and procedures included in the 10 CFR Part 20 revisions.

Amendments to K.A.R. 28-35-212a, 212b, 213a, 214a, 219a, 220a, 222a, 223a, 224a, 225a, 226a, 228a, 229a, 230a, 230b, 333, and 334. Proposed revisions to these regulations are needed to remain compatible with the language in the definitions related to the new methods of calculation of dose or to correct references to regulations changed because of the revision to include the new method.

Amendments to K.A.R. 28-35-221a, 221b and 231b. Proposed revisions to these regulations are needed because of the need to remain consistent with amendments to United States Department of Transportation rules related to the shipment of radioactive materials, and United States Environmental Protection Agency-United States Nuclear Regulatory Commission shipping manifest rules.

New regulations K.A.R. 28-35-144a, 211c, 211d, 212c, 212d, 212e, 212f, 212g, 213b, 214b, 217b, 227b, 227c, 227d, 227e, 227f, 227g, 227h, 227i, 227j, 227k, 227l, 230c, 230d, 230e, and 230f. Proposed new regulations set forth the values of the quality factors, the way these factors and the weighting factors will be used by the registrants and licensees, as well as the recordkeeping requirements created by the new procedures. These proposed new regulations also list the values for the ALI's and DAC's which must be used by all licensees and registrants to assure compatible radiation control and consistency with

the federal and state mandate to operate a compatible program.

Revoked regulations K.A.R. 28-35-215a, 227a, 232a, 233a, and 234a. Proposed revocation of these regulations is necessary because they contain the provisions for calculating the doses used before the new provisions were developed. They would be inappropriate and contain information which is no longer useful. In addition, since these were replaced by USNRC with very long tables of values which are used by the licensees and registrants to calculate doses or concentrations, they have been published as a separate department document with the changes necessary to include all radioactive materials users in Kansas. A copy of this document will be provided to each licensee.

These changes are mandated by the USNRC-Kansas Agreement and do not include requirements which would impact the Kansas radioactive materials licensee different from that which would exist if USNRC were to be the regulatory agency. The only exception would be that if the USNRC were to be regulating the Kansas licensees, the USNRC's fee system would constitute a much greater fiscal impact than the current state fee system. The average Kansas license costs \$360 every other year. The latest USNRC fee system includes an annual fee of \$400 to \$1,800 depending upon the licensee's status as a "small business" (gross annual receipts of less than \$250,000) in addition to a license and inspection fee, each of which is in the range of \$400 to \$1000 for the types of licensees in Kansas.

Copies of the regulations may be obtained from the Kansas Department of Health and Environment, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka 66620-0001. Questions pertaining to these proposed rules should be directed to Gerald Allen at (913) 296-1562.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Gerald Allen at the address above. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and fiscal impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Sandy McAdam at (913) 296-6917.

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 015092

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-AG-94-55/56

Name and Address of Applicant	Legal Description	Receiving Water
Feldkamp Farms c/o Jim Feldkamp Route 1, Box 103 Centralia, KS 66415	NE/4, Sec. 6, T4S, R12E, Nemaha County	Big Blue River Basin

Kansas Permit No. A-BBNM-S045

The proposed facility will have capacity for approximately 2,400 swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
John Lohrey Route 1, Box 71 Bison, KS 67520	SW/4, Sec. 35, T17S, R17W, Rush County	Upper Arkansas River Basin

Kansas Permit No. A-UARH-B004

The feedlot has capacity for approximately 700 cattle and a contributing drainage area of approximately 4.7 acres. This is a new facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of 2.7 acre-feet.

Compliance Schedule: A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Public Notice No. KS-PT-94-7/10

Name and Address of Applicant	POTW	Type of Discharge
Alamo Group-KS, Inc. Holton Facility c/o Alamo Group-USA, Inc. P.O. Box 549 Sequin, TX 78156-0549 Jackson County, Kansas	Holton MWWTP	Process wastewater

Kansas Permit No. P-KS23-0001

Description of Facility: This facility manufactures agricultural machinery, primarily rotary mowers and tractor rear blades. Metal parts are phosphated (conversion coated) at this location, prior to being painted. A paint booth effluent is also generated on-site.

Name and Address of Applicant	POTW	Type of Discharge
Atchison Casting Corporation 400 S. 4th St. Atchison, KS 66002-0188 Atchison County, Kansas	Atchison MWWTP	Process wastewater

Kansas Permit No. P-M001-I001

Description of Facility: This facility is a heavy steel foundry which casts parts for diesel locomotives and other large industrial equipment. A portion of the ferrous castings are quenched with water, and this water is discharged to the city sanitary sewer. The current permit for this facility is being modified to include increased limits due to an increase in production.

Name and Address of Applicant	POTW	Type of Discharge
Howard Enterprises Attn: Bill Howard 1101 Illinois, Building 14 Neodesha, KS 66757 Wilson County, Kansas	Neodesha MWWTP	Process wastewater

Kansas Permit No. P-VE29-0002

Description of Facility: This facility conducts chromium and nickel electroplating of automotive parts and does not discharge any process wastes to the city sewer.

Name and Address of Applicant	POTW	Type of Discharge
Montgomery Elevator Company P.O. Box 987 Arkansas City, KS 67005 Cowley County, Kansas	Strother Field MWWTP	Process wastewater

Kansas Permit No. P-WA18-I002

Description of Facility: This facility manufactures elevator cabs, doors and frames. It operates a two-stage parts cleaning line, using a phosphating (conversion coating) process.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, or Dorothy Geisler (agricultural permits), Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments postmarked or received on or before August 5 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-94-55/56 and KS-PT-94-7/10) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as

appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 015087

State of Kansas

Board of Agriculture Division of Weights and Measures

Permanent Administrative Regulations

Article 40.—PETROLEUM MEASUREMENT

99-40-21. Adoption by reference. Sections 1 through 11 inclusive and all annexes of American society for testing and materials "Designation: D 56-87" entitled "Standard Test Method for Flash Point by Tag Closed Tester," as approved on December 14, 1987, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-22. Adoption by reference. Sections 1 through 12 inclusive and all annexes of American society for testing and materials "Designation: D 86-90" entitled "Standard Test Method for Distillation of Petroleum Products," as approved on September 28, 1990, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-23. Adoption by reference. Sections 1 through 15 inclusive and all annexes of American society for testing and materials "Designation: D 93-90" entitled "Standard Test Methods for Flash Point by Pensky-Martens Closed Tester," as approved on October 26, 1990, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-24. Adoption by reference. Sections 1 through 9 inclusive and the appendix of American society for testing and materials "Designation: D 97-87"

entitled "Standard Test Method for Pour Point of Petroleum Oil," as approved on March 27, 1987, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-25. Adoption by reference. Sections 1 through 12 inclusive and all annexes and the appendix of American society for testing and materials "Designation: D 130-88" entitled "Standard Test Method for Detection of Copper Corrosion from Petroleum Products by the Copper Strip Tarnish Test," as approved on October 31, 1988, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-26. Adoption by reference. Sections 1 through 13 inclusive and all annexes of the American society for testing and materials "Designation: D 156-87" entitled "Standard Test Method for Saybolt Color of Petroleum Products (Saybolt Chromometer Method)," as approved on October 30, 1987, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-27. Adoption by reference. Sections 1 through 12 inclusive of American society for testing and materials "Designation: D 287-92" entitled "Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method)," as approved on August 15, 1992, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-28. Adoption by reference. Sections 1 through 13 inclusive and all annexes of American society for testing and materials "Designation: D 381-86" entitled "Standard Test Method for Existent Gum in Fuels by Jet Evaporation," as approved on October 31, 1986, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

(continued)

99-40-29. Adoption by reference. Sections 1 through 15 inclusive and the appendix of American society for testing and materials "Designation: D 445-88" entitled "Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and the Calculation of Dynamic Viscosity)," as approved on October 31, 1988, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-30. Adoption by reference. Sections 1 through 10 inclusive of the American society for testing and materials "Designation: D 524-88" entitled "Standard Test Method for Ramsbottom Carbon Residue of Petroleum Products," as approved on March 25, 1988, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-31. Adoption by reference. Sections 1 through 13 inclusive and all appendices of the American society for testing and materials "Designation: D 525-88" entitled "Standard Test Method for Oxidation Stability of Gasoline (Induction Period Method)," as approved on October 31, 1988, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-32. Adoption by reference. Sections 1 through 9 inclusive and all annexes of the American society for testing and materials "Designation: D 1093-85" entitled "Standard Test Method for Acidity of Distillation Residues or Hydrocarbon Liquids" as approved on October 25, 1985, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-33. Adoption by reference. Sections 1 through 13 inclusive of the American society for testing and materials "Designation: D 1094-92" entitled "Standard Test Method for Water Reaction of Aviation Fuels," as approved on September 15, 1992, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized

by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-34. Adoption by reference. Sections 1 through 11 inclusive and all annexes of the American society for testing and materials "Designation: D 1298-85" entitled "Standard Practice for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method," as approved on October 25, 1985, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-35. Adoption by reference. Sections 1 through 15 inclusive and all annexes of the American society for testing and materials "Designation: D 1319-89" entitled "Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Fluorescent Indicator Adsorption," as approved on October 27, 1989, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-36. Adoption by reference. Sections 1 through 14 inclusive and all annexes and appendices of the American society for testing and materials "Designation: D 1322-90" entitled "Standard Test Method for Smoke Point of Aviation Turbine Fuels," as approved on September 28, 1990, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-37. Adoption by reference. Sections 1 through 11 inclusive and all annexes and appendices of the American society for testing and materials "Designation: D 1500-91" entitled "Standard Test Method for ASTM Color of Petroleum Products (ASTM Color Scale)," as approved on March 15, 1991, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-38. Adoption by reference. Sections 1 through 15 inclusive and all annexes and appendices of the American society for testing and materials "Designation: D 1840-92" entitled "Standard Test Method for Naphthalene Hydrocarbons in Aviation Turbin Fuels by

Ultraviolet Spectrophotometry," as approved on November 15, 1992, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-39. Adoption by reference. Sections 1 through 9 inclusive and all annexes and appendices of the American society for testing and materials "Designation: D 2386-88" entitled "Standard Test Method for Freezing Point of Aviation Fuel," as approved on March 25, 1988, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-40. Adoption by reference. Sections 1 through 11 inclusive and all annexes and appendices of the American society for testing and materials "Designation: D 2500-91" entitled "Standard Test Method for Cloud Point of Petroleum Products," as approved on October 15, 1991, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-41. Adoption by reference. Sections 1 through 14 inclusive and all annexes and appendices of the American society for testing and materials "Designation: D 3241-92" entitled "Standard Test Method for Thermal Oxidation Stability of Aviation Turbine Fuels (JTOT Procedure)," as approved on September 15, 1992, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-42. Adoption by reference. Sections 1 through 11 inclusive and all annexes and appendices of the American society for testing and materials "Designation: D 3242-89" entitled "Standard Test Method for Acidity in Aviation Turbine Fuel," as approved on April 4, 1989, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-43. Adoption by reference. Sections 1 through 15 inclusive and all annexes and appendices of

the American society for testing and materials "Designation: D 3948-87" entitled "Standard Test Methods for Determining Water Separation Characteristics of Aviation Turbine Fuels by Portable Separometer," as approved on April 2, 1987, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-44. Adoption by reference. Sections 1 through 5 inclusive and all annexes and appendices of the American society for testing and materials "Designation: D 975-92a" entitled "Standard Specifications for Diesel Fuel Oils," as approved October 15, 1992, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-45. Adoption by reference. Sections 1 through 6 inclusive and all annexes and appendices of the American society for testing and materials "Designation: D 396-92" entitled "Standard Specification for Fuel Oils," as approved October 15, 1992, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

99-40-46. Adoption by reference. Sections 1 through 9 inclusive and all annexes and appendices of the American society for testing and materials "Designation: D 4814-92a" entitled "Standard Specification for Automotive Spark-Ignition Engine Fuel," as approved May 20, 1992, are hereby adopted by reference and shall apply to the testing of petroleum products in Kansas. Copies of this document or the pertinent portions thereof are available from the office of weights and measures, division of inspections of the state board of agriculture, Topeka, Kansas. (Authorized by and implementing K.S.A. 1993 Supp. 55-425; effective Aug. 22, 1994.)

Phillip A. Fishburn
Acting Secretary of Agriculture

Doc. No. 015070

State of Kansas

**Department of Administration
Division of Purchases**

Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, until 2 p.m. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information:

Monday, July 18, 1994

30553

Department of Administration, Division of Information Systems and Communications—Pay telephone traffic study

30568

Department of Administration, Division of Facilities Management, Central Motor Pool—Vehicle preventive maintenance service, Kansas City

30573

Kansas Correctional Industries—Liquid bleach concentrate

30574

Kansas Correctional Industries—Blended traffic paint thinner

30581

Department of Social and Rehabilitation Services—Janitorial services, Burlington

30582

Norton Correctional Facility—Natural gas, Norton

99434

Pittsburg State University—Furnish and install compressor

99435

Lansing Correctional Facility—Security hardware

Tuesday, July 19, 1994

30563

Statewide—Frozen foods

30575

Kansas Correctional Industries—Blended BC solvent

30576

Lansing Correctional Facility—Painting supplies (brushes and rollers)

30579

Department of Commerce and Housing—PC software

99440

Department of Wildlife and Parks—Boat, trailer and motor

Wednesday, July 20, 1994

99452

Kansas State University—Beef and frozen seafood

Thursday, July 21, 1994

30580

Statewide—Potato chips and related products

Friday, July 22, 1994

A-7267

Department of Transportation—Remodeling area office and shop building, Dodge City

30564

Statewide—September (1994) meat products

30578

University of Kansas—Locks, cylinders and related materials

99460

Kansas Highway Patrol—Printed binders and index tabs

Monday, July 25, 1994

99461

University of Kansas—Paper, printing and binding: Presidency of Gerald Ford

Wednesday, July 27, 1994

30352

Statewide—Ostomy products (Class 17)

Tuesday, August 9, 1994

A-7463

University of Kansas Medical Center—Truss reinforcement, Bell Memorial Hospital

Jack R. Shipman
Director of Purchases

Doc. No. 015076

State of Kansas

**Department of Health
and Environment**

**Permanent Administrative
Regulations**

Article 29.—SOLID WASTE MANAGEMENT

28-29-98. Criteria for municipal solid waste landfills. (a) 40 CFR Part 258, as in effect November 15, 1993, exclusive of appendix I of that part, is adopted by reference.

(b) Wherever "appendix I" is referenced in 40 CFR part 258, the table titled "Appendix I to this Part 258—constituents for detection monitoring" shall be replaced with the following table:

**Appendix I—constituents for
detection monitoring**

Geochemicals:

Alkalinity

Calcium

Chemical Oxygen Demand (COD)

Chloride

Nitrogen (Ammonia)

Potassium, dissolved

Sodium, dissolved

Sulfate

Total dissolved solids (TDS)

Organics:

Acetone
Benzene
Bromodichloromethane
Bromomethane
Bromoform
2-Butanone
Carbon disulfide
Carbon tetrachloride
Chlorobenzene
Chlorethane
2-Chlorethylvinyl ether
Chloroform
Chloromethane
Dibromochloromethane
1,1-Dichloroethane
1,2-Dichloroethane
1,1-Dichloroethene
trans-1, 2-Dichloroethene
1,2-Dichloropropane
cis-1,3-Dichloropropene
trans-1,3-Dichloropropene
Ethylbenzene
2-Hexanone
4-Methyl-2-pentanone
Methylene chloride
Styrene
Tetrachloroethene
Toluene
Total xylenes
1,1,2,2-Tetrachloroethane
1,1,1-Trichloroethane
1,1,2-Trichloroethane
Trichloroethene
Vinyl acetate
Vinyl chloride

(c) When used in any provision adopted from 40 CFR part 258, references to "director of an approved state" shall be replaced with "director of the division of environment" and "state director" shall be replaced with "director of the division of environment."

(d) Differences between state and federal definitions. When the same word or phrase is defined both in the Kansas statutes or regulations and in 40 CFR part 258, and are not identical, the definition prescribed in the Kansas statutes or regulations controls. (Authorized by K.S.A. 1993 Supp. 65-3406; implementing K.S.A. 65-3401; effective, T-28-9-30-93, Sept. 30, 1993; effective Nov. 22, 1993; amended May 16, 1994; amended Aug. 22, 1994.)

28-29-99. (Authorized by K.S.A. 65-3406; amended by L. 1993, Ch. 274, Sec. 2; implementing K.S.A. 65-3401; effective, T-28-9-30-93, Sept. 30, 1993; effective Nov. 22, 1993; revoked May 16, 1994; revoked Aug. 22, 1994.)

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 015075

State of Kansas

Board of Agriculture

Permanent Administrative
Regulations

Article 4.—COMMERCIAL FERTILIZERS

4-4-900. Definitions. (a) "Primary containment" means the storage of liquid bulk fertilizer in approved storage containers at any storage facility.

(b) "Liquid fertilizer" means fertilizer in liquid form including solutions, emulsions, suspensions and slurries. The term "liquid fertilizer" shall not include anhydrous ammonia.

(c) "Storage container" means any container used for the storage of liquid bulk fertilizer, including any rail car, nurse tank or other mobile container used for the storage of liquid bulk fertilizer. Storage container shall not include any container used solely for emergency storage of leaking fertilizer.

(d) "Storage facility" means any location at which liquid fertilizer or dry fertilizer, either bulk or bagged, is held in storage. A storage facility shall include the entire contiguous tract of land upon which fertilizer materials are loaded, unloaded, mixed, blended or stored.

(e) "Secondary containment" means any structure, temporary or permanent, including but not limited to dikes and elephant rings, used to capture and contain fertilizer or fertilizer materials which have been discharged from a primary containment structure and designed to prevent runoff or leaching of the discharged fertilizer materials into the groundwater.

(f) "Discharged fertilizer" means any fertilizer or fertilizer material which has dripped, spilled, leaked or overflowed from the primary containment structure or storage container or appurtenance, pipeline or hose connected thereto.

(g) "Appurtenance" means any device used in connection with a storage container, secondary containment area, structure or device, primary containment structure or device, or storage for dry fertilizer, including safety devices, liquid level gauging devices, valves, pipes, hoses, fittings, and measuring or dispensing devices.

(h) "Elephant ring" means an open top storage container which serves as a secondary containment vessel into which a smaller primary storage container has been placed.

(i) "Secretary" means the secretary of the Kansas state board of agriculture or the secretary's authorized representative.

(j) "Alternative design" means any process or technique for either primary or secondary containment which has been approved by the secretary pursuant to K.A.R. 4-4-956.

(k) "Tip tank" means any tank or combination of tanks which is built on a frame having wheels and which is designed solely for temporary storage of liquid fertilizer prior to its transfer to application equipment and not for transportation of liquid fertilizer.

(l) "Application equipment" means any fertilizer spreader, nurse tank or truck mounted with a spreader used for dispensing water, dust or liquid fertilizer or

(continued)

combinations of liquid fertilizer and other materials. (Authorized by and implementing K.S.A. 2-1227; effective Jan. 14, 1991; amended Jan. 25, 1993; amended, T-4-7-1-94, July 1, 1994; amended Aug. 22, 1994.)

4-4-982. Marking of mobile storage containers. (a) In addition to any requirements of K.A.R. 4-4-909, within six months after the effective date of this regulation, the owner or operator shall mark each mobile storage container with the following information:

(1) the words "Liquid Fertilizer" on each side of every mobile storage container;

(2) the name and address of the mobile container's owner and the owner's place of business, if any;

(3) the type of liquid fertilizer stored in the mobile storage container; and

(4) the name and telephone number of each person which is to be contacted in the event of a discharge, including any persons responsible for the stored fertilizer.

(b) If the mobile storage container is a tip tank as defined in K.A.R. 4-9-900, then the tip tank shall also be marked with the date when the tip tank was first filled at its current location.

(c) All information required by this regulation shall be marked on a background of sharply contrasting colors in letters at least two inches high. (Authorized by and implementing K.S.A. 2-1227; effective, T-4-7-1-94, July 1, 1994; effective Aug. 22, 1994.)

4-4-983. Mobile containers. (a) Each mobile container or combination of mobile containers which has a combined capacity of 2,000 gallons or more and is used to store liquid fertilizer for more than 15 consecutive days shall comply with the requirements of K.A.R. 4-4-900 et seq.

(b) The requirements of subsection (a) shall not apply to:

(1) any tip tank or other mobile container or combination of mobile containers which has a combined capacity of 2,000 gallons or more and is used for the storage of liquid fertilizer at a storage facility for less than 16 consecutive calendar days in a calendar year when such storage is incidental to the loading or unloading of a nonmobile storage container at a storage facility which is owned, leased, rented, or controlled by the owner of the tip tank or other mobile storage container or combination of the storage containers or the loading or application equipment at the application site.

(2) any tip tank or other mobile container or combination of mobile containers which has a combined capacity of 2,000 gallons or more in which liquid fertilizer is stored for less than 16 consecutive days at any location which is not owned, leased, rented, or controlled by the owner of the tip tank or other mobile storage container or combination of the storage containers. (Authorized by and implementing K.S.A. 2-1227; effective, T-4-7-1-94, July 1, 1994; effective Aug. 22, 1994.)

4-4-984. Mobile containers. Each mobile container used for the storage of liquid fertilizer shall meet the requirements of K.A.R. 4-4-901 and K.A.R. 4-4-903. (Authorized by and implementing K.S.A. 2-1227; effective, T-4-7-1-94, July 1, 1994; effective Aug. 22, 1994.)

Article 7.—MILK AND DAIRY PRODUCTS

4-7-716. Adoption by reference. (a) Except for sections 1(X), 2, 9, 15, 16, 17, and 18, the revision of the grade A pasteurized milk ordinance, as published in public health service/food and drug administration publication no. 299, effective October 1, 1993 as amended by the food and drug administration on March 21, 1994, is hereby adopted by reference.

(b) Copies of the pertinent portions of the material adopted by reference shall be available from the inspections division of the Kansas state board of agriculture. (Authorized by and implementing K.S.A. 65-720n and 65-737a; effective May 1, 1980; amended May 1, 1983; amended May 1, 1986; amended Dec. 26, 1988; amended Jan. 14, 1991; amended Oct. 21, 1991; amended July 1, 1992; amended Aug. 22, 1994.)

4-7-719. Additions. (a) In item 10p appearing in section 7 of the grade A pasteurized milk ordinance adopted by reference in K.A.R. 4-7-716, the following language shall be inserted in the last sentence between the word "piping" and the final period: "however cottage cheese, cheese dressing, or cheese ingredients may be transported by other methods which protect the product from contamination."

(b) In item 18p appearing in section 7 of the grade A pasteurized milk ordinance adopted by reference in K.A.R. 4-7-716, the following language shall be inserted between the word "equipment" and the final period: "however cottage cheese, dry curd cottage cheese, and lowfat cottage cheese may be transported in sealed containers in a protected sanitary manner from one plant to another for creaming or packaging or both." (Authorized by and implementing K.S.A. 65-720n and 65-737a; effective May 1, 1980; amended Jan. 14, 1991; amended March 2, 1992; amended Aug. 22, 1994.)

Article 13.—PESTICIDES

4-13-60. Civil penalty; complaint. (a) Each complaint for the assessment of a civil penalty shall include:

(1) A statement reciting each subsection of the act authorizing the assessment of civil penalty;

(2) a specific reference to each provision of the act or implementing regulation which respondent is alleged to have violated;

(3) a concise statement of the factual basis for each violation alleged;

(4) the amount of the civil penalty which is proposed to be assessed; and

(5) the notice of respondent's right to request a hearing on any material fact contained in the complaint or on the appropriateness of the amount of the proposed civil penalty. This notice may be incorporated within the complaint or set forth in a separate document.

(b) Each respondent shall be served a notice of a pre-hearing conference in accordance with the Kansas administrative procedure act, K.S.A. 77-501 et seq. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2440e; effective Jan. 1, 1989; amended Aug. 22, 1994.)

4-13-61. Answer to the complaint. (a) If a respondent contests any material fact upon which the complaint is based, contends that the amount of the civil

penalty proposed in the complaint is inappropriate or contends that the respondent is entitled to judgment as a matter of law, the respondent may file a written answer to the complaint. If an answer is filed, the answer shall be filed with the designated hearing officer within 20 days after service of the complaint.

(b) If an answer is filed, the respondent's answer shall be in writing.

(1) The answer shall clearly and directly admit, deny or explain each of the factual allegations contained in the complaint to which the respondent has any knowledge.

(2) Where the respondent has no knowledge of a particular factual allegation and so states, the allegation shall be deemed denied.

(3) The answer shall also state any circumstances or arguments which are alleged to constitute grounds of defense; any facts which the respondent disputes and intends to place at issue and whether a hearing is requested. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2440e; effective Jan. 1, 1989; amended Aug. 22, 1994.)

4-13-64. Informal settlement. (a) The respondent may request a settlement conference. The request may be contained either in respondent's answer to the complaint, if an answer is filed, or presented at the pre-hearing conference.

(b) If a settlement is reached, the parties shall reduce the settlement to writing and present the proposed written consent agreement to the secretary or the secretary's designee. The consent agreement shall state that, for the purpose of the proceeding, respondent:

- (1) Admits the jurisdictional allegations of the complaint;
- (2) admits the facts stipulated in the consent agreement;
- (3) neither admits nor denies specific factual allegations contained in the complaint; and
- (4) consents to the assessment of a stated civil penalty. The consent agreement shall include any and all terms

of the agreement and shall be signed by all parties or their counsel or representatives of record. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2440e; effective Jan. 1, 1989; amended Aug. 22, 1994.)

4-13-65. Adjusting the amount of the proposed civil penalty. (a) Each respondent shall present all evidence on the issue of adjustment of the proposed civil penalty at the settlement conference. Such evidence may include mitigating factors or new evidence not previously known to the agency at the time the complaint was issued.

(b) Upon presentation by the respondent of new evidence establishing facts and circumstances that were unknown to the secretary at the time the complaint was issued and which relate to the gravity of the violation, a new civil penalty may be proposed.

(1) When these additional facts establish that respondent did not commit the violations charged, the complaint shall be dismissed.

(2) When the new evidence reveals additional charges should have been filed, a new complaint containing appropriate additional civil penalties may be filed.

(c) The burden shall be on the respondent to present evidence of any mitigating factors to support any requested reduction in the amount of proposed civil penalty. The amount of the civil penalty may be reduced if the reduction serves the public interest.

(d) The amount of a civil penalty shall not be reduced to less than \$100 per offense.

(1) Whether or not a proposed civil penalty is reduced lies within the sole discretion of the secretary or the secretary's designee.

(2) Reductions shall not occur unless evidence of mitigating factors has been presented by respondent. (Authorized by K.S.A. 2-2467a; implementing K.S.A. 2-2440e; effective Jan. 1, 1989; amended Aug. 22, 1994.)

Phillip A. Fishburn
Acting Secretary of Agriculture

Doc. No. 015069

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. This cumulative index supplements the index found in the 1993 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-30	Amended	V. 12, p. 902
1-2-46	Amended	V. 12, p. 1705
1-5-15	Amended	V. 12, p. 1705
1-5-28	Amended	V. 12, p. 902
1-6-22a	New	V. 12, p. 1706
1-6-23	Amended	V. 12, p. 1706
1-7-4	Amended	V. 12, p. 1707

1-9-5	Amended	V. 12, p. 902
1-9-6	Amended	V. 12, p. 1708
1-9-13	Amended	V. 12, p. 1709
1-9-21	Amended	V. 12, p. 903
1-9-23	Amended	V. 12, p. 903
1-9-24	New	V. 12, p. 1709, 1779
1-10-6	Amended	V. 12, p. 1709
1-13-1a	Amended	V. 12, p. 1709
1-14-6	Amended	V. 12, p. 1817
1-14-7	Amended	V. 12, p. 1817
1-14-8	Amended	V. 12, p. 1710
1-14-10	Amended	V. 12, p. 1818
1-14-12	New	V. 12, p. 1711
1-16-2	Amended	V. 12, p. 721, 864
1-16-2a	Amended	V. 12, p. 721, 864
1-16-2b	Amended	V. 12, p. 721, 864
1-16-2d	Amended	V. 12, p. 721, 864
1-16-2f	Revoked	V. 12, p. 722, 865
1-16-2k	Amended	V. 12, p. 722, 865
1-16-22	Amended	V. 12, p. 865
1-17-13	Amended	V. 13, p. 720
1-18-1a	Amended	V. 12, p. 865
1-21-1	Amended	V. 12, p. 865
1-21-2	Amended	V. 12, p. 866
1-21-3	Revoked	V. 12, p. 866
1-21-4	Amended	V. 12, p. 866
1-21-5	Revoked	V. 12, p. 866
1-21-6	Revoked	V. 12, p. 866
1-21-7	Amended	V. 12, p. 866

1-21-8	Revoked	V. 12, p. 866
1-21-9	Revoked	V. 12, p. 866
1-21-10	Revoked	V. 12, p. 866
1-21-11	Revoked	V. 12, p. 866
1-21-12	Amended	V. 12, p. 866
1-22-1 through 1-22-5	Revoked	V. 12, p. 722, 867
1-28-1	Revoked	V. 12, p. 867
1-28-2	Revoked	V. 12, p. 867
1-49-1	Amended	V. 13, p. 720
1-49-11	New	V. 12, p. 1711
1-50-2	Revoked	V. 12, p. 867

Reg. No.	Action	Register
2-3-3	Revoked	V. 12, p. 887

AGENCY 2: MUNICIPAL ACCOUNTING BOARD

Reg. No.	Action	Register
2-3-3	Revoked	V. 12, p. 887

AGENCY 4: BOARD OF AGRICULTURE

Reg. No.	Action	Register
4-8-14a	Amended	V. 12, p. 1212
4-8-28	Amended	V. 12, p. 1212
4-8-32	Amended	V. 12, p. 1213

AGENCY 5: BOARD OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-1-1	Amended	V. 13, p. 491
5-1-2	New	V. 13, p. 493

(continued)

5-3-4a	Amended	V. 13, p. 493
5-3-5e	New	V. 13, p. 493
5-4-4	New	V. 13, p. 493
5-7-1	Amended	V. 13, p. 494
5-7-3	Revoked	V. 13, p. 494
5-7-4	New	V. 13, p. 495
5-11-1	New	V. 13, p. 495
5-11-2	New	V. 13, p. 496
5-21-1	Amended	V. 13, p. 443
5-21-3	Amended	V. 13, p. 444
5-21-4	New	V. 13, p. 444
5-22-1	Amended	V. 13, p. 91
5-22-2	Amended	V. 13, p. 92
5-22-7	Amended	V. 13, p. 92
5-22-8	Amended	V. 13, p. 93

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-2	Amended	V. 13, p. 5
7-23-12	New	V. 13, p. 5
7-23-13	New	V. 13, p. 276
7-27-1	Amended	V. 12, p. 1336
7-29-1	Revoked	V. 12, p. 1336
7-29-2	Amended	V. 12, p. 1336
7-36-1 through 7-36-6	New	V. 13, p. 5
7-37-1	New	V. 13, p. 765
7-37-2	New	V. 13, p. 765

AGENCY 17: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
17-11-21	Amended	V. 12, p. 1176
17-15-1	Amended	V. 12, p. 311
17-16-8	Amended	V. 12, p. 314
17-21-1	Amended	V. 12, p. 314
17-21-2	Amended	V. 12, p. 314
17-22-1	Amended	V. 12, p. 1015
17-23-1 through 17-23-16	New	V. 13, p. 49-57

AGENCY 19: KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

Reg. No.	Action	Register
19-29-1a	New	V. 12, p. 1336

AGENCY 20: CRIME VICTIMS COMPENSATION BOARD

Reg. No.	Action	Register
20-1-1	Amended	V. 12, p. 1487
20-2-3	New	V. 12, p. 1487
20-2-6	New	V. 12, p. 1488
20-2-7	New	V. 12, p. 1488
20-2-8	New	V. 12, p. 1488
20-2-9	New	V. 12, p. 1488

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-1-2	Amended	V. 12, p. 444
22-1-3	New	V. 12, p. 444
22-1-4	New	V. 12, p. 444
22-1-5	New	V. 12, p. 445
22-1-6	New	V. 12, p. 445
22-2-1	Revoked	V. 12, p. 445
22-3-1	Revoked	V. 12, p. 445
22-3-2	Revoked	V. 12, p. 445
22-4-1	Revoked	V. 12, p. 445
22-5-3	Amended	V. 12, p. 445
22-6-8	New	V. 12, p. 976
22-6-10	Revoked	V. 12, p. 445
22-6-17	Revoked	V. 12, p. 445
22-7-1	Revoked	V. 12, p. 445
22-7-2	Revoked	V. 12, p. 445
22-7-3	Revoked	V. 12, p. 445
22-7-5	Revoked	V. 12, p. 445
22-7-6 through 22-7-12	New	V. 12, p. 445-447
22-8-1	Revoked	V. 12, p. 448
22-10-3a	Revoked	V. 12, p. 448
22-10-10	Revoked	V. 12, p. 448
22-10-12	Revoked	V. 12, p. 448
22-10-13	Revoked	V. 12, p. 448
22-10-14	Revoked	V. 12, p. 448
22-10-17	Revoked	V. 12, p. 448
22-10-18	New	V. 12, p. 448
22-10-19	New	V. 12, p. 448
22-13-35	Revoked	V. 12, p. 449
22-18-3	Amended	V. 12, p. 449
22-19-1	Amended	V. 12, p. 450

22-19-2	Amended	V. 12, p. 450
22-19-3	Amended	V. 12, p. 451
22-19-4	Revoked	V. 12, p. 451
22-19-5	New	V. 12, p. 451
22-20-1	Revoked	V. 12, p. 451
22-22-1	New	V. 12, p. 451

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
23-4-1	Revoked	V. 12, p. 1702
23-6-8	Revoked	V. 12, p. 1702
23-16-1	Revoked	V. 12, p. 1702
23-19-1	Revoked	V. 12, p. 1702

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-1-8	Revoked	V. 12, p. 1460, 1571
25-1-15	Amended	V. 12, p. 1460, 1571
25-1-16	Revoked	V. 12, p. 1461, 1571
25-1-17	Revoked	V. 12, p. 1461, 1571

AGENCY 26: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
26-5-5	Amended	V. 12, p. 1118
26-5-6	Amended	V. 12, p. 1118
26-8-1	Amended	V. 12, p. 1119, 1150
26-8-3	Amended	V. 12, p. 1120, 1152
26-8-4	Amended	V. 12, p. 1120, 1152
26-8-7	Amended	V. 12, p. 1120, 1152

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-2	Amended	V. 12, p. 315
28-1-18	Amended	V. 12, p. 1057
28-4-350	Amended	V. 12, p. 1042
28-4-351	Amended	V. 12, p. 1042
28-4-352	Amended	V. 12, p. 1043
28-4-353	Amended	V. 12, p. 1043
28-4-353a	New	V. 12, p. 1045
28-4-353b	New	V. 12, p. 1046
28-4-354	Amended	V. 12, p. 1047
28-4-355	Amended	V. 12, p. 1048
28-4-355a	New	V. 12, p. 1049
28-4-355b	New	V. 12, p. 1049
28-4-356	Amended	V. 12, p. 1051
28-4-357	Amended	V. 12, p. 1053
28-4-358	Amended	V. 12, p. 1054
28-4-359	Amended	V. 12, p. 1054
28-4-360	Amended	V. 12, p. 1057
28-15-11	Amended	V. 12, p. 725
28-15-13	Amended	V. 12, p. 727
28-15-21	New	V. 12, p. 728
28-15-35	Amended	V. 12, p. 1847
28-15-36	Amended	V. 12, p. 1849
28-15-36a	New	V. 12, p. 1851
28-15-37	Amended	V. 12, p. 1852
28-16-61	Amended	V. 12, p. 1209
28-16-150 through 28-16-154	New	V. 12, p. 1210
28-17-6	Amended	V. 12, p. 1020
28-17-20	Amended	V. 12, p. 1020
28-19-7	Amended	V. 12, p. 1530
28-19-14	Amended	V. 12, p. 1852
28-19-14b	Revoked	V. 12, p. 1853
28-19-17b	Amended	V. 13, p. 151
28-19-17c	Amended	V. 13, p. 151
28-19-17f	Amended	V. 13, p. 151
28-19-17m	Amended	V. 13, p. 151
28-19-31	Amended	V. 12, p. 1458
28-19-32	Amended	V. 12, p. 1458
28-19-63	Amended	V. 12, p. 1458
28-19-78	Revoked	V. 13, p. 151
28-19-202	New	V. 12, p. 1534
28-19-210	New	V. 12, p. 1535
28-23-82	Amended	V. 12, p. 1058
28-25-1 through 28-25-15	New	V. 12, p. 1058, 1059
28-29-6a	New	V. 13, p. 151
28-29-84	New	V. 12, p. 435, 487
28-29-85	New	V. 12, p. 436, 488
28-29-98	Amended	V. 13, p. 398
28-29-99	Revoked	V. 13, p. 399
28-30-2	Amended	V. 12, p. 1539
28-30-3	Amended	V. 12, p. 1540
28-30-6	Amended	V. 12, p. 730
28-31-1 through 28-31-6	Amended	V. 13, p. 312-318

28-31-8	Amended	V. 13, p. 318
28-31-8b	Amended	V. 13, p. 319
28-31-9	Amended	V. 13, p. 319
28-31-10	Amended	V. 13, p. 320
28-31-11	Amended	V. 13, p. 320
28-31-14	Amended	V. 13, p. 320
28-34-1	Revoked	V. 12, p. 780
28-34-1a	New	V. 12, p. 780
28-34-2	Amended	V. 12, p. 781
28-34-3b	New	V. 12, p. 781
28-34-5	Revoked	V. 12, p. 782
28-34-5a	New	V. 12, p. 782
28-34-6	Revoked	V. 12, p. 782
28-34-6a	New	V. 12, p. 782
28-34-8	Revoked	V. 12, p. 783
28-34-8a	New	V. 12, p. 783
28-34-9a	Amended	V. 12, p. 784
28-34-10	Revoked	V. 12, p. 784
28-34-10a	New	V. 12, p. 784
28-34-16	Revoked	V. 12, p. 785
28-34-16a	New	V. 12, p. 785
28-34-17	Revoked	V. 12, p. 785
28-34-17a	New	V. 12, p. 785
28-34-17b	New	V. 12, p. 786
28-34-20	Revoked	V. 12, p. 787
28-34-20a	New	V. 12, p. 787
28-34-32a	Revoked	V. 12, p. 787
28-34-32b	New	V. 12, p. 787
28-34-125	Revoked	V. 12, p. 787
28-35-135	Amended	V. 12, p. 1176
28-35-143	Revoked	V. 12, p. 1176
28-35-180a	Amended	V. 12, p. 1176
28-35-211b	Revoked	V. 12, p. 1176
28-35-212a	Amended	V. 12, p. 1176
28-35-212b	New	V. 12, p. 1176
28-35-213a	Amended	V. 12, p. 1176
28-35-214a	Amended	V. 12, p. 1176
28-35-215a	Amended	V. 12, p. 1176
28-35-217a	Amended	V. 12, p. 1176
28-35-218a	Amended	V. 12, p. 1176
28-35-219a	Amended	V. 12, p. 1176
28-35-220a	Amended	V. 12, p. 1176
28-35-221a	Amended	V. 12, p. 1176
28-35-221b	New	V. 12, p. 1176
28-35-222a	Amended	V. 12, p. 1176
28-35-223a	Amended	V. 12, p. 1176
28-35-224a	Amended	V. 12, p. 1176
28-35-225a	Amended	V. 12, p. 1176
28-35-226a	Amended	V. 12, p. 1177
28-35-228a	Amended	V. 12, p. 1177
28-35-229a	Amended	V. 12, p. 1177
28-35-230a	Amended	V. 12, p. 1177
28-35-230b	New	V. 12, p. 1177
28-35-231b	Amended	V. 12, p. 1177
28-35-233a	Amended	V. 12, p. 1177
28-35-234a	Amended	V. 12, p. 1177
28-35-242	Amended	V. 12, p. 1177
28-35-245	Revoked	V. 12, p. 1177
28-35-246	Revoked	V. 12, p. 1177
28-35-247	Amended	V. 12, p. 1177
28-35-248	Revoked	V. 12, p. 1177
28-35-249	Amended	V. 12, p. 1177
28-35-250	Revoked	V. 12, p. 1177
28-35-250a	New	V. 12, p. 1177
28-35-251	Amended	V. 12, p. 1177
28-35-253	New	V. 12, p. 1177
28-35-254	New	V. 12, p. 1177
28-35-255	New	V. 12, p. 1177
28-35-276	Amended	V. 12, p. 1177
28-35-282	Amended	V. 12, p. 1177
28-35-284	Amended	V. 12, p. 1177
28-35-285	Amended	V. 12, p. 1177
28-35-287	Amended	V. 12, p. 1177
28-35-288	Amended	V. 12, p. 1177
28-35-341 through 28-35-363	New	V. 12, p. 1177, 1178
28-36-21	Amended	V. 12, p. 1059
28-36-30	Amended	V. 12, p. 1211
28-38-18 through 28-38-23	Amended	V. 12, p. 437, 438
28-38-29	New	V. 12, p. 439
28-39-76	Revoked	V. 12, p. 1399
28-39-77	Revoked	V. 12, p. 1399
28-39-77a	Revoked	V. 12, p. 1400
28-39-78	Revoked	V. 12, p. 1400
28-39-79	Revoked	V. 13, p. 37
28-39-80	Revoked	V. 13, p. 37
28-39-81	Revoked	V. 13, p. 37
28-39-81a	Revoked	V. 13, p. 37

111-6-7	Amended	V. 11, p. 1477
111-6-7a	New	V. 12, p. 1118
111-6-8	Revoked	V. 12, p. 1263
111-6-9	Amended	V. 10, p. 1217
111-6-11	Revoked	V. 12, p. 1376
111-6-12	Amended	V. 8, p. 212
111-6-13	Amended	V. 8, p. 299
111-6-15	Amended	V. 12, p. 677
111-6-17	Revoked	V. 10, p. 1475
111-6-18	New	V. 13, p. 150
111-6-19	New	V. 13, p. 340
111-6-20	New	V. 13, p. 340
111-6-21	New	V. 13, p. 881
111-6-22	New	V. 13, p. 881
111-6-23	New	V. 13, p. 881
111-7-1 through 111-7-10	New	V. 7, p. 1192, 1193
111-7-1	Amended	V. 8, p. 212
111-7-3	Amended	V. 11, p. 1796
111-7-3a	Revoked	V. 13, p. 340
111-7-4	Amended	V. 9, p. 1367
111-7-5	Amended	V. 9, p. 986
111-7-6	Amended	V. 9, p. 987
111-7-9	Amended	V. 12, p. 1263
111-7-11	Amended	V. 10, p. 1475
111-7-12 through 111-7-32	New	V. 7, p. 1194-1196
111-7-33 through 111-7-43	New	V. 7, p. 1197, 1198
111-7-33a	New	V. 8, p. 300
111-7-44 through 111-7-54	Revoked	V. 13, p. 340
111-7-46	Amended	V. 11, p. 1152
111-7-54	Amended	V. 11, p. 1511
111-7-55 through 111-7-63	Revoked	V. 10, p. 1217
111-7-60	Amended	V. 10, p. 262
111-7-64 through 111-7-75	New	V. 11, p. 13, 14
111-7-66	Amended	V. 12, p. 1666
111-7-66a	Revoked	V. 13, p. 340
111-7-76 through 111-7-78	New	V. 11, p. 1478-1480
111-7-79	Revoked	V. 13, p. 340
111-7-80 through 111-7-83	New	V. 11, p. 1478-1480
111-7-84 through 111-7-90	New	V. 12, p. 677, 678
111-7-91 through 111-7-94	Revoked	V. 13, p. 340

111-7-98	New	V. 12, p. 914
111-7-99 through 111-7-105	New	V. 12, p. 1376, 1377
111-8-1	New	V. 7, p. 1633
111-8-2	New	V. 7, p. 1633
111-8-3	Amended	V. 10, p. 886
111-8-4	New	V. 7, p. 1714
111-8-4a	New	V. 7, p. 1995
111-8-5 through 111-8-13	New	V. 7, p. 1634
111-8-14	New	V. 13, p. 881
111-8-15	New	V. 13, p. 881
111-9-1 through 111-9-12	New	V. 7, p. 1714-1716
111-9-1 through 111-9-6	Revoked	V. 9, p. 1680
111-9-13 through 111-9-18	Revoked	V. 9, p. 1680
111-9-25 through 111-9-30	New	V. 9, p. 699, 700
111-9-31 through 111-9-36	New	V. 10, p. 262
111-9-37 through 111-9-48	New	V. 10, p. 1439, 1440
111-9-49 through 111-9-54	New	V. 12, p. 318, 319
111-9-55 through 111-9-60	New	V. 12, p. 1263, 1264
111-10-1 through 111-10-9	New	V. 8, p. 136-138
111-10-7	Amended	V. 8, p. 301

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-4-1	Amended	V. 12, p. 1152, 1369
112-4-2	New	V. 12, p. 1153, 1370
112-7-24	New	V. 13, p. 843
112-9-2	Amended	V. 12, p. 975, 1211
112-9-18a	Amended	V. 12, p. 355, 378
112-9-30	Amended	V. 12, p. 975, 1211
112-9-39a	Amended	V. 12, p. 356, 378
112-9-40a	Amended	V. 12, p. 356, 379
112-9-41a	Amended	V. 12, p. 358, 380
112-9-42	Amended	V. 12, p. 359, 382
112-9-43	Amended	V. 12, p. 361, 383
112-9-44	New	V. 12, p. 361, 384
112-12-1	New	V. 12, p. 50

112-12-2 through 112-12-11	Amended	V. 12, p. 50-53
112-12-10	Amended	V. 12, p. 1816
112-12-14	New	V. 13, p. 962
112-17-15	New	V. 12, p. 1034, 1211

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 13, p. 233
115-4-1	Amended	V. 12, p. 570
115-4-3	Amended	V. 12, p. 570
115-4-5	Amended	V. 12, p. 571
115-4-6	Amended	V. 13, p. 592
115-4-7	Amended	V. 13, p. 594
115-5-1	Amended	V. 12, p. 1490
115-8-22	New	V. 13, p. 233
115-9-1	Revoked	V. 12, p. 1702
115-9-5	Amended	V. 13, p. 980
115-14-1	Amended	V. 13, p. 980
115-14-2	Amended	V. 13, p. 980
115-14-8	Amended	V. 13, p. 980
115-14-9	Amended	V. 13, p. 980
115-14-10	Amended	V. 13, p. 981
115-17-15	New	V. 12, p. 1702
115-17-16 through 115-17-20	New	V. 13, p. 234-236
115-18-4	Amended	V. 12, p. 1491
115-18-9	New	V. 12, p. 1702
115-18-10	New	V. 12, p. 1702
115-18-12	New	V. 12, p. 1491
115-18-13	New	V. 13, p. 981
115-21-3	New	V. 12, p. 1703
115-30-8	Amended	V. 12, p. 1703
115-30-10	New	V. 13, p. 595

AGENCY 116: STATE FAIR BOARD

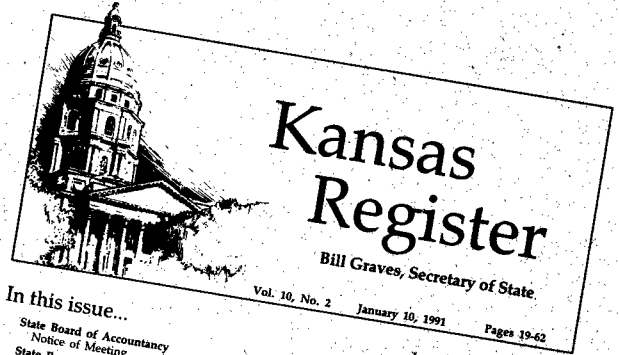
Reg. No.	Action	Register
116-3-1	New	V. 12, p. 1175
116-3-2	New	V. 12, p. 1175
116-4-1	New	V. 13, p. 934
116-4-2	New	V. 13, p. 934

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 13, p. 974
117-2-1	Amended	V. 12, p. 528
117-2-2	Amended	V. 13, p. 913
117-2-4	Amended	V. 12, p. 529
117-3-1	Amended	V. 12, p. 529
117-3-2	Amended	V. 13, p. 913
117-4-1	Amended	V. 12, p. 1699
117-4-2	Amended	V. 13, p. 913
117-4-4	Amended	V. 12, p. 530
117-5-1	New	V. 13, p. 975
117-6-1	Amended	V. 13, p. 914
117-6-2	Amended	V. 12, p. 531
117-8-1	Amended	V. 12, p. 531

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State Records Board	
Notice of Meeting.....	20
Kansas Agricultural Value-Added Processing Center	
Notice of Leadership Council Meeting.....	20
Kansas Water Authority	
Notice of Meeting.....	21
Kansas Sentencing Commission	
Notice of Meeting.....	21
Executive Appointments	
Kansas Apprenticeship Committee	
Notice of Meeting.....	21
Notice to Bidders for State Purchases	
Notice of Bond Sale	
City of Hillsboro.....	22
	22
	23

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