

Kansas Register

Bill Graves, Secretary of State

Vol. 13, No. 28

July 14, 1994

Pages 1025-1068

In this issue . . .

Page

Kansas Council on Privatization	
Notice of meeting	1026
State Employees Health Care Commission	
Notice of meeting	1026
State Fair Board	
Notice of meeting	1026
State Banking Board	
Notice of meeting	1026
Notice of hearing on proposed administrative regulations	1027
Department of Administration	
Public notice	1027
Kansas Department of Transportation	
Notice of available funding	1027
Kansas State Treasurer	
Notice of investment rates	1027
Legislative interim committee schedule	1028
Kansas State University	
Notice to bidders	1029
Attorney General	
Opinions No. 94-85 through 94-87	1029
Adjutant General's Department	
Notice of hearing	1029
Department of Health and Environment	
Notice of cancellation of hearing	1030
Notice concerning Kansas water pollution control permits	1030
Notices of meeting	1030, 1032
Notice of Bond Sale	
Sedgwick County	1032
U.S.D. 263, Sedgwick County	1033
Wildlife and Parks Commission	
Notice of hearing on proposed administrative regulations	1034
Notice of Bond Redemption	
City of Arkansas City	1035
City of Chanute	1036
Johnson County	1037
Consumer Credit Commissioner	
Administrative Interpretation Order No. 1003	1036
Notice to bidders for state purchases	1037
Kansas Council on Employment and Training	
Notice of meeting	1038
State Conservation Commission	
Notice to contractors	1038
Court of Appeals docket	1038
Temporary Administrative Regulations	
Board of Agriculture	1043
Secretary of State	1044
Kansas Lottery	1045
Permanent Administrative Regulations	
Department of Health and Environment	1050
Department of Wildlife and Parks	1062
Index to administrative regulations	1063

State of Kansas

Kansas Council on Privatization**Notice of Meeting**

The Kansas Council on Privatization will meet from 9 a.m. to 3 p.m. Friday, July 22, in Room 123-S, State Capitol, 300 S.W. 10th, Topeka. The meeting is open to the public.

Charles R. Warren
President, Kansas Inc.

Doc. No. 015111

State of Kansas

State Employees Health Care Commission**Notice of Meeting**

The Kansas State Employees Health Care Commission has rescheduled its July 15 meeting for 2:30 p.m. Monday, August 1, in Room 313-S, State Capitol, 300 S.W. 10th, Topeka. The agenda will include assigning contracts to three HMO's in Kansas.

Robert C. Harder
Chairperson

Doc. No. 015114

State of Kansas

State Fair Board**Notice of Meeting**

The State Fair Board will meet at 10 a.m. Friday, July 22, in the board room at the Administration Office on the fairgrounds in Hutchinson. For further information, contact Deana Novak at (316) 669-3612.

Deana Novak
Administrative Officer

Doc. No. 015104

State of Kansas

State Banking Board**Notice of Meeting**

The State Banking Board will meet at 9 a.m. Monday, August 15, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 et seq.

Frank D. Dunnick
State Bank Commissioner

Doc. No. 015119

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.54 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

Postmaster. Send change of address form to Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594.
© Kansas Secretary of State 1994. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
Bill Graves
Secretary of State
2nd Floor, State Capitol
300 S.W. 10th Ave.
Topeka, KS 66612-1594
(913) 296-2236



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

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 65-34,117(b), records of the Division of Accounts and Reports show the unobligated balances are \$3,273,803.02 in the underground petroleum storage tank release trust fund and \$7,409,487.90 in the aboveground petroleum storage tank release trust fund at June 30, 1994.

Gloria M. Timmer
Secretary of Administration

Doc. No. 015105

State of Kansas

Department of Transportation

Notice of Available Funding

The Kansas Department of Transportation, Office of Public Transportation is accepting funding requests to purchase vehicles and equipment under Section 16 of the Federal Transit Act Amendments of 1991 for transportation services to the elderly and persons with disabilities.

KDOT also will be accepting requests to provide operating assistance and/or vehicles for transportation services to the elderly, disabled and the general public under Section 18 of the act.

Eligible applicants for Section 16 Federal Transit Administration grant funds must be private non-profit organizations that have been incorporated and registered with the Secretary of State to do business in Kansas. Applicants for a Section 18 grant must be local units of government, Indian tribes, private non-profit organizations or private operators contracting through any of these parties. Applicants also must be registered with the Secretary of State to do business in Kansas.

A total of approximately \$650,000 in Section 16 and \$2.2 million in Section 18 funds will be available. The federal share of eligible capital cost will not exceed 80 percent of the net cost of each project and the grant applicant share shall be 20 percent of the net cost. The federal share of operating cost will not exceed 40 percent of the net cost of each project and the grant applicant share will be no less than 60 percent of the net cost.

Requests must be received by KDOT, Office of Public Transportation on or before August 12. Requests after that date will not be accepted. Persons interested in applying can contact the Office of Public Transportation, 217 S.E. 4th, Topeka 66603-3504.

Interested individuals may also contact Kathy Marion, (913) 296-3058, if located in the northern half of the state, or Pat Hummel, (913) 296-4907, if located in the southern half of the state.

Michael L. Johnston
Secretary of Transportation

Doc. No. 015118

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 7-18-94 through 7-24-94

Term	Rate
0-90 days	4.36%
3 months	4.46%
6 months	5.16%
9 months	5.41%
12 months	5.58%
18 months	5.98%
24 months	6.25%
36 months	6.60%
48 months	6.87%

Sally Thompson
State Treasurer

Doc. No. 015103

State of Kansas

State Banking Board

Notice of Hearing on Proposed Administrative Regulations

The State Banking Board will meet at 9 a.m. Monday, August 15, in the conference room of the Office of the State Bank Commissioner, Suite 300, 700 S.W. Jackson, Topeka. The scheduled agenda includes reports by the State Bank Commissioner, a public hearing concerning an amendment to an existing regulation effective upon publication in the Kansas Register, adoption of the proposed amendment, and other necessary items.

There is one proposed amendment to existing regulation K.A.R. 17-22-1, application fees, that substantively changes the regulation.

A complete copy of the proposed regulation and the economic impact statement may be obtained by contacting Christine L. Zeller, 3rd Floor, Jayhawk Tower, 700 S.W. Jackson, Topeka 66603, (913) 296-2266. This 30-day notice of hearing is for the purpose of receiving comments concerning the implementation of the regulation. Written comments may be submitted prior to the hearing to Frank D. Dunnick, State Bank Commissioner, at the address listed above.

Interested persons will be given reasonable opportunity at the hearing to present their views and arguments on the adoption of the proposed regulation. Presentations should be in writing whenever possible.

Frank D. Dunnick
State Bank Commissioner

Doc. No. 015116

State of Kansas

Legislature
Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 18 through July 31:

Date	Room	Time	Committee	Agenda
July 18	519-S	10:00 a.m.	Legislative Post Audit	Legislative matters.
July 18	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of rules and regulations filed by State Board of Edu- cation; Department of Ad- min.; Dept. of Wildlife and Parks; Board of Indigents' Defense Services; KDHE; Real Estate Appraisal Board; Secretary of State; Board of Agriculture; Kansas State Fair; and State Corporation Commission.
July 19	514-S	9:00 a.m.		
July 20	123-S	1:30 p.m.	Legislative Coordinating Council	Legislative matters.
July 20	514-S	10:00 a.m.	Legislative Educational Planning Committee	20th: Report on master planning activities of governing boards; report on activities of Western Kansas Education Compact; presentation by Charles Warren relating to master planning and gover- nance issues; presentation about student financial aid. 21st: Report on WSU - com- munity college - AVTS con- sortium, the Southeast Kan- sas higher education system, and agreement between Washburn and Kaw AVTS; issues relating to the tran- ferability of technical course credits from community col- leges to Regents' institutions.
July 21	514-S	9:00 a.m.		
July 20	313-S	10:00 a.m.	Special Committee on Judiciary	20th: Topic No. 6 - Domestic Vi- olence, and Topic No. 5 - Sex Predator Act. 21st: Topic No. 4 - Prison Pop- ulation; Topic No. 2 - Juvenile Issues; Topic No. 7 - Legis- lation Which Reduced Felony Convictions to 16 Years Old.
July 21	313-S	9:00 a.m.		
July 22	123-S	9:00 a.m.	Kansas Council on Privatization	Agenda not available.

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 015117

State of Kansas

Kansas State University**Notice to Bidders**

Sealed bids for items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 532-6214 or FAX (913) 532-5632 for additional information.

Monday, July 25, 1994**#50002**

Portable materials testing system

#50003

Particle size analysis system

William H. Sesler
Director of Purchasing

Doc. No. 015108

State of Kansas

Attorney General**Opinion No. 94-85**

State Boards, Commissions and Authorities—Public Employees Retirement Systems; Provisions Affecting Systems Administered by KPERS Board of Trustees—Lump-Sum Death Benefit for Retirants. Meredith Williams, Executive Secretary, Kansas Public Employees Retirement System, Topeka, July 1, 1994.

Because the lump-sum death benefit payable pursuant to K.S.A. 1993 Supp. 74-4989 is intended to be paid for the benefit of the retirant rather than an heir or beneficiary of the retirant, and K.S.A. 1993 Supp. 74-4989 does not provide that the lump-sum death benefit is payable to a beneficiary of the retirant, the lump-sum death benefit is to be paid to the retirant. Cited herein: K.S.A. 1993 Supp. 12-5005; 20-2618; 59-1301; 74-4902; K.S.A. 74-4923; K.S.A. 1993 Supp. 74-4989; L. 1982, ch. 319, § 2; L. 1983, ch. 254, § 18; L. 1992, ch. 321, §§ 10, 25, 27. RDS

Opinion No. 94-86

Automobiles and Other Vehicles—General Provisions; Persons with a Disability—Accessible Parking for Persons with a Disability; Unlawful Parking; Blocking Access Ramp; Penalties.

Automobiles and Other Vehicles—Uniform Act Regulating Traffic; Parties, Arrests, Citations, Procedures and Penalties—Illegal Parking, Standing or Stopping. Senator Todd Tiaht, 26th District, Goddard, July 5, 1994.

It is our opinion that it is proper for the registered owner of a vehicle to receive a traffic citation for a parking violation. The term "access aisle" as used in K.S.A. 1993 Supp. 8-1,129 is not unconstitutionally vague. Because there is not a statute in the uniform act regulating traffic on highways regarding the specific times that parking laws are to be enforced, cities may enact police power ordinances specifically setting forth the time that the parking ordinance will be in effect. Cited herein:

K.S.A. 1993 Supp. 8-1,128, as amended by 1994 HB 3028; 8-1,128a, repealed by 1994 HB 3028; 8-1,129; K.S.A. 8-2001, 8-2002, 8-2112, 8-2114. MJS

Opinion No. 94-87

State Departments; Public Officers and Employees—Department on Aging; General Provisions—Office of Long-Term Care Ombudsman; Access to Records and Documents. Myron Dunavan, State Long Term Care Ombudsman, Department on Aging, Topeka, July 5, 1994.

The state long-term care ombudsman shall have all powers of accessing long-term care resident's records pursuant to 42 USCS § 3058g. This includes access without the consent of the guardian when the resident is unable to consent and the ombudsman believes the guardian is not acting in the best interests of the resident. K.S.A. 1993 Supp. 75-5920 is in conflict with 42 USCS § 3058g and must yield to the provisions of the federal statute. Cited herein: K.S.A. 1993 Supp. 75-5903; 75-5920; U.S. Const., art. 6, § 2. NKF

Robert T. Stephan
Attorney General

Doc. No. 015113

State of Kansas

Adjutant General's Department**Notice of Hearing**

The Adjutant General's Department will conduct a public hearing at 2 p.m. Monday, July 25, in Room 11 of the State Defense Building, 2800 S.W. Topeka Blvd., Topeka, to discuss the state fiscal year 1996 budget request for the nuclear emergency fee program.

The Adjutant General must approve the final budget document for the nuclear emergency fee program. The hearing will provide the Adjutant General with an opportunity to gather information from the organizations participating in the program. The hearing will also allow interested parties the opportunity to provide comments regarding the budget request, which is currently under review. Following the hearing, the Adjutant General will make the decisions necessary to complete the document. The final, approved budget document will be available for public review by August 15.

All interested parties are invited to attend the hearing. The Adjutant General's Department is accepting written comments regarding the budget process, which may be submitted at the hearing or submitted by mail before the hearing. All correspondence should be sent to the attention of Tracey Elmore, Adjutant General's Department, Division of Emergency Management, 2800 S.W. Topeka Blvd., Topeka 66611-1287. Requests for copies of the final, approved budget document should also be mailed to this address. For telephone inquiries, call (913) 266-1423 or (913) 266-1409.

Maj. Gen. James F. Rueger
The Adjutant General

Doc. No. 015125

State of Kansas

Department of Health and Environment

Notice of Cancellation of Hearing

The public hearing concerning the Unified School District 266 wastewater treatment permit, published in the July 7 Kansas Register, has been cancelled.

Robert C. Harder
Secretary of Health and Environment

Doc. No. 015123

State of Kansas

Department of Health and Environment

Notice of Meeting

The Kansas Department of Health and Environment has prepared a Kansas water pollution control permit for the 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 public response in the form of two letters and a petition signed by 158 people; therefore, the department has decided to conduct a public informational 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.

Robert C. Harder
Secretary of Health and Environment

Doc. No. 015121

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-46-7, 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 the 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-94-46

Name and Address of Applicant	Waterway	Type of Discharge
Fogle Quarry Company, Inc. North Ottawa Quarry-Ottawa 1107 E. 23rd Ottawa, KS 66067 Franklin County, Kansas Kansas Permit No. I-MC31-P003	Marais des Cygnes River via Wilson Creek via unnamed tributary	Pit dewatering, uncontaminated stormwater runoff and treated washwater
		Fed. Permit No. KS-0116084

Description of Facility: This facility is engaged in a rock quarry operation with pit dewatering and washing. Limestone is sized by screening and washing is utilized to remove fines that the screening cannot remove. An on-site pond will be used to settle the fines prior to discharging to the receiving stream. This is an existing facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Public Notice No. KS-EG-94-5

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, a tentative area permit has been prepared for the continued use of shallow Class V injection wells within the state of Kansas, for the applicant described below.

Name and Address of Applicant	Injection Well No.	Location of Cells
The Coleman Company, Inc. Beacon Facility 5605 N. 119th West Maize, KS 67101	IW-1, IW-2, IW-3 and IW-4	SE/4 Section 13, Township 26S, Range 2W, Sedgwick County, Kansas

Description of Facility: The injection wells are designed to accept treated groundwater, originally contaminated by the release of trichloroethylene, for the purpose of remediation of the aquifer, maintain hydraulic control of the site, and to return treated groundwater to the aquifer.

Public Notice No. KS-AG-94-57/62

Name and Address of Applicant	Legal Description	Receiving Water
David Schmitz Route 3, Box 186 Holton, Kansas 66434 Kansas Permit No. A-KSJA-S019	NW/4, Sec. 21, T6S, R15E, Jackson County	Kansas River Basin

The proposed facility will have capacity for approximately 420 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:

- The waste management plan developed by Soil Conservation Service and approved by the department shall be adhered to as a condition of the permit. The plan calls for nutrient analysis of both liquid waste and sludges with application to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than one acre-inch per acre per year and solid manure shall be applied at not greater than six tons/acre/year.
- Dewatering equipment shall be obtained within six months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 30 gallons per minute and dispersing the wastewater over 22 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Name and Address of Applicant	Legal Description	Receiving Water
Carol Heiman Route 1, Box 102 Baileyville, KS 66404	NW/4, Sec. 30, T2S, R11E, Nemaha County	Big Blue River Basin

Kansas Permit No. A-BBNM-M008

The proposed facility will have capacity for approximately 80 dairy cattle.

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: Dewatering equipment shall be obtained within three months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 150 gallons per minute and dispersing the wastewater over 60 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Name and Address of Applicant	Legal Description	Receiving Water
V.H. Farms, Inc. Route 1, P.O. Box 128 Lyons, KS 67554	NW/4, Sec. 24, T20S, R7W, Rice County	Little Arkansas River Basin

Kansas Permit No. A-LARC-S003

The existing facility has the capacity for approximately 1,770 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: 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 of 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.

Name and Address of Applicant	Legal Description	Receiving Water
Pro Am Feedyard Warren W. Spikes P.O. Box 759 Hugoton, KS 67951	SE/4, Sec. 8, T31S, R37W, Stevens County	Cimarron River Basin

Kansas Permit No. A-CISV-C003 Federal Permit No. KS-0090913

The proposed expanded facility will have capacity for approximately 2,200 cattle.

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: 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 of 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.

Name and Address of Applicant	Legal Description	Receiving Water
Harold Bargman Route 1 Bremen, KS 66412	SW/4, Sec. 28, T1S, R6E, Marshall County	Big Blue River Basin

Kansas Permit No. A-BBMS-M010

The existing facility has the capacity for approximately 150 dairy cattle.

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: The construction of the earthen holding pond and the associated wastewater control structures must be completed by September 1, 1994.

Name and Address of Applicant	Legal Description	Receiving Water
Heartland Jersey's Route 3, P.O. Box 38 Seneca, KS 66538	NW/4, Sec. 6, T3S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-M009

The dairy facility has capacity for approximately 100 dairy cattle and a contributing drainage area of approximately 3.4 acres. This is an expansion of an existing 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 115,800 cubic feet.

Compliance Schedule: Dewatering equipment shall be obtained within three months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 120 gallons per minute and dispersing the wastewater over 10 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

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 12 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-94-46, KS-AG-94-57/62, KS-EG-94-5) 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 (28-46-21 for UIC). 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. 015122

State of Kansas

**Department of Health
and Environment**

Notice of Meeting

The Department of Health and Environment will meet at 9 a.m. Tuesday, July 26, at the Kansas Historical Society Auditorium, 120 W. 10th, Topeka. The meeting is open to the public. Telephone hook-ups are provided at the KDHE district offices located in Chanute, Wichita, Dodge City, Hays, Salina and Lawrence; and the Pittsburg Office of Surface Mining. 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 Mary Ann Cummings at (913) 296-0461. The agenda for the July meeting includes:

- Secretary's announcements.
- Report from Division of Health.
- Report from Division of Environment.
- FY 96 budget preparation.
- Actions on department rules and regulations.
- Adoption of lead and copper regulations:
K.A.R. 28-15-11 (Amended); 28-15-13 (Amended);
28-15-15a (Amended); 28-15-19 (Amended); 28-15-
20 (Amended); 28-15-22 (New)
- Public hearing and adoption of rules and regula-
tions for the dietitian program:
K.A.R. 28-59-5 (Amended); 28-59-5a (New); 28-49-
7 (Amended)
- Public hearing and adoption of rules and regula-
tions for the radiation program:
Amended: 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: 28-35-114a, 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
Revoked: 28-35-215a, 28-35-227a, 28-35-232a; 28-35-
233a, 28-35-234a

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 015120

(Published in the Kansas Register, July 14, 1994.)

**Summary Notice of Bond Sale
Sedgwick County, Kansas
\$7,315,000**

**General Obligation Bonds
Series A, 1994**

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

Sealed Bids

Subject to the notice of bond sale dated July 6, 1994, sealed bids will be received by the controller of Sedgwick County, Kansas (the issuer), on behalf of the governing body at the Sedgwick County Courthouse, Suite 333, 525 N. Main, Wichita, KS 67203, until 9:30 a.m. C.D.T. on July 27, 1994, for the purchase of \$7,315,000 principal amount of General Obligation Bonds, Series A, 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 September 1, 1994, and will become due on August 1 in the years as follows:

Year	Principal Amount
1995	\$625,000
1996	625,000
1997	630,000
1998	630,000
1999	600,000
2000	600,000
2001	635,000
2002	635,000
2003	640,000
2004	640,000
2005	195,000
2006	195,000
2007	200,000
2008	200,000
2009	205,000

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 February 1 and August 1 in each year, beginning on February 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 \$146,300 (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 September 8, 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 \$2,403,968,101. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold and temporary notes in the amount of \$8,400,000 to be sold on the same date as the bonds, is \$81,905,000.

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 Terry L. Coltrain, Controller, or Richard J. Hesse, Cash/Debt Management Coordinator, Sedgwick County Courthouse, Suite 333, 525 N. Main, Wichita, KS 67203, (316) 383-7591.

Dated July 6, 1994.

Sedgwick County, Kansas

Doc. No. 015110

(Published in the Kansas Register, July 14, 1994.)

**Summary Notice of Bond Sale
Unified School District 263
Sedgwick County, Kansas (Mulvane)
\$4,750,000**

**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 263, Sedgwick County, Kansas (Mulvane) (the issuer), on behalf of the governing body at 430 E. Main, Mulvane, KS 67110, until 8 p.m. C.D.T. on July 25, 1994, for the purchase of \$4,750,000 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
1995	\$140,000
1996	170,000
1997	200,000
1998	225,000
1999	260,000

2000	145,000
2001	175,000
2002	190,000
2003	200,000
2004	215,000
2005	230,000
2006	245,000
2007	265,000
2008	290,000
2009	310,000
2010	335,000
2011	360,000
2012	385,000
2013	410,000

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 \$95,000 (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 17, 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 \$32,109,045. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$10,925,000.

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) 777-1102, or from the financial advisor, Ranson Capital Corporation, 120 S. Market, Suite 450, Wichita, KS 67202, Attn: Stephen E. Shogren, (316) 262-4955.

Dated July 7, 1994.

Unified School District 263
Sedgwick County, Kansas (Mulvane)

Doc. No. 015109

State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, August 18, at the Quality Inn, 3021 W. U.S. 50, Emporia, to consider the approval and adoption of several department regulations and to establish the 1994-95 waterfowl seasons. There will be a public comment period at the beginning of the evening meeting for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items.

A workshop meeting on commission business will begin at 1:30 p.m. August 18 at the location listed above. The public also will be given the opportunity to comment on any nonagenda items at the beginning of the meeting, and on agenda items during the afternoon meeting. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. Old and new business may also be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. August 19 at the location listed above.

If notified in advance, the department will have an interpreter available for the hard of hearing. To contact the department for this or any other reason, members of the public with a hearing impairment may call the TDD service at 1-800-766-3777. All public meeting areas are accessible to those who are physically disabled.

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. Request for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Brenda Dean at (316) 672-5911.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations to be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-4-12. Big game; assistance to big game permit holders. This permanent regulation is proposed for amendment. The amendments provide that any individual may herd or drive big game while assisting a big game permit holder, and any individual may assist a big game permit holder who is disabled. Such assistance may include tracking and dispatching wounded big game if the permit holder by reason of disability is unable to do so.

Economic Impact Summary: These amendments are designed to simplify the issue of who can assist a big game permit holder without having to also have a permit. It also addresses the needs of a permit holder with a disability. No economic impact is anticipated.

K.A.R. 115-5-2. Furbearers and coyotes; possession, disposal and general provisions. This permanent regulation is proposed for amendment. One amendment would require the tagging of swift fox similar to the current tagging requirement for bobcat. The second amendment would allow the possession and selling of furbearers taken as a result of animal damage control activities.

Economic Impact Summary: Tagging of swift fox will require minor department expense for materials, tagging and administration. Furharvesters would incur some costs associated with transport to a tagging location, although department personnel will also perform tagging during travel status. It is estimated that less than 100 swift fox would be tagged.

The economic impact of allowing the possession and sale of furbearers taken under animal damage control activities will be minor. These pelts would not be prime and thus of substantially lower value.

K.A.R. 115-5-3. Furbearers and coyotes; management units. This is proposed new regulation which would establish management units under a permanent regulation. Currently, the units have been set under an exempt regulation. The number of units have been reduced from three to two.

Economic Impact Summary: No significant economic is anticipated.

K.A.R. 115-9-7. Hunting licenses; general activities for which a hunting license shall not be required. This is a proposed new regulation which stipulates general or broad wildlife related activities for which a hunting license is not required. Activities which are not a part of the actual shooting, capturing or harvesting of wildlife would not require a license.

Economic Impact Summary: No economic impact is anticipated. The regulation would not create any exemptions; rather, it places into a regulatory format those general activities which are not considered to require a hunting license.

K.A.R. 115-25-11. Furbearers; open seasons and bag limits. This proposed exempt regulation would continue furbearer seasons with several adjustments and using two management units instead of the previous three. Beaver trapping season would be increased for most counties; trapping and hunting seasons for other furbearers would be extended 18 days in the eastern unit; and basically no change in running seasons. Increased standardization of season dates is proposed.

Economic Impact Summary: No significant economic impact is anticipated, although slightly longer seasons will provide additional days in the field for furharvesters. Increased standardization of season dates will simplify participation and benefit furharvesters.

James Holderman
Chairman

Doc. No. 015107

(Published in the Kansas Register, July 14, 1994.)

(Published in the Kansas Register, July 14, 1994.)

**Notice of Redemption
Industrial Revenue Bonds
(Arkansas City Presbyterian Manor, Inc.)
Series IR-1977, Dated March 1, 1977
of the
City of Arkansas City, Kansas**

Notice is hereby given that pursuant to Section 3 of Ordinance No. 2049 of the city of Arkansas City, Kansas, all of the outstanding Industrial Revenue Bonds, Series IR-1-77 (Arkansas City Presbyterian Manor, Inc.), of the city of Arkansas City, Kansas, maturing on March 1, 1999, will be redeemed and prepaid on September 1, 1994 (the redemption date), prior to their respective maturities subject to the provisions and limitations set forth herein.

Serial Bonds

Bond Numbers	Principal Amount	Maturity Date	Interest Rate
321-500 incl.	\$900,000	03/01/99	8.40%

The principal amount of the above described 1977 Bonds shall become due and payable on September 1, 1994, at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date, together with a premium of 1 percent of the principal amount of the 1977 Bonds so called for redemption and payment (the redemption price).

On September 1, 1994, all the 1977 Bonds will be due and payable at the principal office of The Home National Bank, 126 S. Summit, Arkansas City, KS 67005. From and after September 1, 1994, all interest on the 1977 Bonds will cease to accrue.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 31 percent tax remittance from individuals who fail to furnish the paying agent with a valid taxpayer identification number. Holders of the 1977 Bonds who wish to avoid the imposition of this required withholding tax should submit certified taxpayer identification numbers when presenting their 1977 Bonds for payment.

Dated July 14, 1994.

The Home National Bank
126 S. Summit
Arkansas City, KS 67005
As Fiscal Agent

Doc. No. 015094

**Notice of Redemption
Industrial Revenue Bonds
(Arkansas City Presbyterian Manor, Inc.)
Series IR-III-79, Dated September 1, 1979
of the
City of Arkansas City, Kansas**

Notice is hereby given that pursuant to Section 4(b) of Ordinance No. 3088 of the city of Arkansas City, Kansas, all of the outstanding Industrial Revenue Bonds, Series IR-III-79 (Arkansas City Presbyterian Manor, Inc.), of the city of Arkansas City, Kansas, maturing on and after September 1, 1995, will be redeemed and prepaid on September 1, 1994 (the redemption date), prior to their respective maturities subject to the provisions and limitations set forth herein.

Serial Bonds

Bond Numbers	Principal Amount	Maturity Date	Interest Rate
85 - 95 incl.	\$55,000	09/01/95	8 1/2%
96 - 106 incl.	55,000	09/01/96	8 1/2%
107 - 118 incl.	60,000	09/01/97	8 1/2%
119 - 131 incl.	65,000	09/01/98	8 3/4%
132 - 145 incl.	70,000	09/01/99	8 3/4%
146 - 160 incl.	75,000	09/01/00	8 3/4%

The principal amount of the above described 1979 Bonds shall become due and payable on September 1, 1994, at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date, together with a premium of 2 percent of the principal amount of the 1977 Bonds so called for redemption and payment (the redemption price).

On September 1, 1994, all the 1979 Bonds will be due and payable at the principal office of The Home National Bank, 126 S. Summit, Arkansas City, KS 67005. From and after September 1, 1994, all interest on the 1979 Bonds will cease to accrue.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 31 percent tax remittance from individuals who fail to furnish the paying agent with a valid taxpayer identification number. Holders of the 1979 Bonds who wish to avoid the imposition of this required withholding tax should submit certified taxpayer identification numbers when presenting their 1979 Bonds for payment.

Dated July 14, 1994.

The Home National Bank
126 S. Summit
Arkansas City, KS 67005
As Fiscal Agent

Doc. No. 015095

State of Kansas

Consumer Credit Commissioner**Administrative Interpretation No. 1003
Clarification of Charges on Discretionary
Overdrafts by Financial Institutions**

This administrative interpretation is given to clarify whether overdraft charges imposed by financial institutions constitute a finance charge and subsequently are subject to the Kansas Uniform Consumer Credit Code. This interpretation applies only to discretionary overdrafts allowed by the financial institution where there is not a prearranged agreement to extend credit by paying checks drawn on a customer's checking account where the checking account contains less funds than the amount of the check or checks presented for payment.

The definition of an overdraft does not clearly come under the definition of consumer loan as defined in 16a-1-301 (13). Comments included in the code on that section indicate that a consumer loan usually includes "... all loans under \$25,000 made by professional lenders to individuals for personal, family or household purposes as long as they are payable in installments or a finance charge is imposed." Overdrafts could better be defined as "sale of services" as defined in 16a-1-301 (35). Again, the Kansas comments of the code relating to the definition of "loan" provides a distinction between loans and sales, and states "... thus, forbearance of debt arising from sales or leases is not a loan transaction within this act. "

K.A.R. 75-6-26 requires creditors to disclose to consumers the information required by truth-in-lending regulation Z, 12 CFR 226.1 through 226.30 and appendices A through V as amended and in effect on October 8, 1991 (Reg. Z) (authorized by and implementing K.S.A. 16a-6-117). Reg. Z, 226.4 (c)(3) (charges excluded from the finance charge) states "charges imposed by a financial institution for paying items that overdraw an account, unless the payment of such items and the imposition of the charge were previously agreed upon in writing." Official staff commentary on Reg. Z further expresses the following opinion on 226.4 (c)(3): "a charge on an overdraft balance computed by applying a rate of interest to the amount of the overdraft is not a finance charge, even though the consumer agrees to the charge in the account agreement, unless the financial institution agrees in writing that it will pay such items."

Conclusions:

1. Discretionary overdrafts by a financial institution without a prearranged agreement to create an overdraft, although generally considered as extensions of credit, do not constitute a consumer loan as defined by the code in K.S.A. 16a-1-301 (13).

2. Charges on overdrafts without a prearranged agreement, however calculated, do not constitute a finance charge as defined by the code in K.S.A. 16a-1-301 (18).

3. The code is silent in regard to charges imposed on discretionary overdrafts by a financial institution. When the code is silent, Reg. Z is used for reference. Reg. Z in paragraph 226.4(c)(3) specifically excludes charges on

discretionary overdrafts from the definition of "finance charge."

Therefore, it is the interpretation of this office, based on the facts, interpretations and conclusions stated above, that transactions involving financial institutions' imposition of charges on discretionary overdrafts are not subject to the Kansas Uniform Consumer Credit Code.

Wm. F. Caton

Consumer Credit Commissioner

Doc. No. 015106

(Published in the Kansas Register, July 14, 1994.)

**Notice of Redemption
City of Chanute, Kansas
Industrial Development Revenue Bonds
(Kansas Lodging Partnership—Tenant)
\$1,300,000**

Dated September 1, 1978

Notice is hereby given that all of the above mentioned bonds maturing on and after September 1, 1995, and all unmatured coupons appertaining thereto, have been called for redemption and payment on September 1, 1994, at the office of Bank of Commerce, 101 W. Main, P.O. Box 538, Chanute, KS 66720 (the paying agent):

Bond Nos.	Maturity Date	Principal Amount	Interest Rate
117-131	9-1-95	\$ 75,000	8.50%
132-147	9-1-96	\$ 80,000	8.60%
148-164	9-1-97	\$ 85,000	8.70%
165-182	9-1-98	\$ 90,000	8.80%
183-260	9-1-99	\$390,000	9.00%

On such redemption date there shall become due and payable, upon presentation and surrender of each such bond and unmatured coupons, the redemption price thereof equal to par plus 4 percent of the principal amount of each bond together with interest accrued to the redemption date, provided funds are on deposit with the fiscal agent. Interest shall cease to accrue on the bonds so called for redemption from and after September 1, 1994.

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payments of interest or principal on corporate securities or making payments of principal on mutual securities may be obligated to withhold a 31 percent tax from remittances to individuals who have failed to furnish the paying agent with a valid taxpayer identification number. Holders of the bonds who wish to avoid the imposition of the tax should submit certified taxpayer identification numbers when presenting the bonds for payment.

Dated July 14, 1994.

Bank of Commerce
Fiscal agent for
City of Chanute, Kansas
101 W. Main
P.O. Box 538
Chanute, KS 66720

Doc. No. 015102

(Published in the Kansas Register, July 14, 1994.)

NOTICE OF FULL REDEMPTION

Johnson County, Kansas
Single Family Mortgage Revenue Bonds, 1980A

All Outstanding Bonds Called for Redemption
CUSIP Nos. 478747-AQ-1 thru 478747-AW-8

NOTICE IS HEREBY GIVEN by Security Bank of Kansas City, as trustee (the "Trustee") that, pursuant to Section 3.01 of the Trust Indenture of Johnson County, Kansas, Single Family Mortgage Revenue Bonds, 1980 Series A, ALL OUTSTANDING BONDS are being called for redemption on AUGUST 15, 1994 at the redemption price of 100 percent of the principal amount plus accrued interest thereon to the redemption date. This Notice was first published on Thursday, July 14, 1994 in the Kansas Register and The Bond Buyer.

Send your bond by registered or certified mail, return receipt requested or present it to:

Security Bank of Kansas City
Corporate Trust Division
One Security Plaza
Kansas City, Kansas 66101
Attn.: Bond Redemption Desk

It is not necessary to sign the back of the bond unless you wish to transfer it to another party. Interest on the bonds shall cease to accrue on and after August 15, 1994.

IMPORTANT

This redemption is contingent upon the County selling the Mortgage Loans financed with the proceeds of the Series 1980 Bonds on or before July 20, 1994. In the event the County does not sell the Mortgage Loans, this call will be rescinded.

Security Bank of Kansas City
Corporate Trust Department
as Trustee

Dated: July 14, 1994

Pursuant to the terms of the Internal Revenue Code, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold a 31% tax from remittances to individuals who have failed to furnish the paying agent with a valid Taxpayer Identification Number.

The CUSIP number is included solely for the convenience of the Bondholders. Neither the Issuer nor the Trustee shall be responsible for the selection or the use of the CUSIP number, nor is any representation made as to its correctness on the securities or as indicated on any redemption notice.

Doc. No. 015124

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, Landon State Office Building, 900 S.W. Jackson, Room 102, 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 25, 1994

30590

Statewide—Ice and snow removal chemicals

99469

Division of Printing—Skiver cloth

Tuesday, July 26, 1994

30583

University of Kansas—Film processor

30584

Kansas State University—Course schedules

30586

University of Kansas—September (1994) meat products

30587

University of Kansas Medical Center—September (1994) meat products

30588

Winfield State Hospital—Incontinent items

99482

Kansas State University—Corn

Wednesday, July 27, 1994

29126E

University of Kansas Medical Center—Lumber/wood products

Thursday, July 28, 1994

99475

Norton Correctional Facility—Ready mix concrete

99478

Topeka State Hospital—Laundry dryers

Monday, August 1, 1994

30118 Rebid

Emporia State University—Furnish and install aluminum replacement windows

99468

University of Kansas—Furnish all labor and materials for dining room repair

99479

Lansing Correctional Facility—Heating and air conditioning equipment

Tuesday, August 2, 1994

A-7284(b)

Wichita State University—Campus restroom remodeling, Cessna Stadium

Wednesday, August 3, 1994

A-7295

University of Kansas—Replace top deaerator tanks

A-7296

University of Kansas—Boiler repairs

30351

Statewide—Protective apparel (Class 43)

Wednesday, August 10, 1994

30350

Statewide—Dressing and patient care items (Class 02)

Request for Proposals

Wednesday, July 27, 1994

99481

Printing of data book project for the Department of Commerce and Housing

Jack R. Shipman
Director of Purchases

Doc. No. 015116

State of Kansas

Kansas Council on Employment and Training

Notice of Meeting

The Kansas Council on Employment and Training will meet from 9 a.m. to noon Thursday, July 28, at the Employment Security Systems Institute (ESSI) Building, center classroom, lower level, 1309 S.W. Topeka Blvd., Topeka. The meeting is open to the public.

Joe Dick
Secretary of Human Resources

Doc. No. 015099

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 33,541 cubic yard detention dam, Site SP-4 in Butler County, will be received by the Upper Walnut Watershed Joint District No. 33 at the district office, 2503 Enterprise, Suite B, El Dorado 67042, until 2 p.m. August 1, and then opened. A copy of the invitation for bids and plans and specifications can be obtained at the district office, (316) 321-5891 or (316) 321-3793.

Kenneth F. Kern
Executive Director

Doc. No. 015112

State of Kansas

Office of Judicial Administration
Court of Appeals Docket

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals
Division 3 Courtroom
Wyandotte County Courthouse
Kansas City, Kansas

Tuesday, July 19, 1994

Before Briscoe, C.J.; Gernon, J.; and Richard A. Medley,
District Judge, assigned.

9:00 a.m.

Table with 4 columns: Case No., Case Name, Attorneys, and County. Contains entries for cases 70,486, 70,699, 70,250, 70,375, and 70,676.

Wednesday, July 20, 1994

9:00 a.m.

Table with 4 columns: Case No., Case Name, Attorneys, and County. Contains entries for cases 70,656 and 70,527.

70,667	State of Kansas, Appellee, v. Paul A. Lewis, Appellant.	District Attorney Attorney General Benjamin C. Wood	Wyandotte
10:30 a.m.			
69,834 69,835	State of Kansas, Appellee, v. Patrick J. McGraw and Sam Trout, Appellants.	District Attorney Attorney General Bruce W. Simon Kurt Marquart	Wyandotte
70,503	State of Kansas, Appellee, v. Gardner L. Jones III, Appellant.	County Attorney Attorney General Socheata Un	Leavenworth
Summary Calendar—No Oral Argument			
70,775	Melvin Anderson, Sr., Appellee, v. Cargill, Inc., Appellant.	J. Paul Maurin III Michael R. McIntosh Timothy Lutz	Wyandotte
70,887	State of Kansas, Appellee, v. Henry Baptiste, Appellant.	District Attorney Attorney General Kristine Savage	Johnson
70,535	In the Interest of D.B., J.B. and M.B.	Philip R. Sedgwick John Knudsen Gary P. Kessler	Wyandotte
70,711	State of Kansas, Appellee, v. William J. Williams, Appellant.	District Attorney Attorney General Jessica R. Kunen	Wyandotte
70,821	Bethany Med. Center, Appellant, v. Phillip Jones, Appellee.	Kurt S. Brack Phillip A. Jones, pro se	Wyandotte

**Kansas Court of Appeals
Court of Appeals Courtroom, Third Floor
Old Sedgwick County Courthouse, 510 N. Main
Wichita, Kansas**

Tuesday, July 19, 1994

* Before Elliott, P.J.; Brazil, J.; and Richard W. Wahl,
District Judge Retired, assigned.

9:00 a.m.

Case No.	Case Name	Attorneys	County
70,684	Sheryl Bryson, et al., Appellants, v. Wichita State Univ., Appellant.	Paul S. McCausland Randall H. Elam	Sedgwick
10:00			
70,617	State of Kansas, Appellee, v. Herbert Jones, Appellant.	Debra S. Bryd Attorney General Jean Gilles Phillips	Sedgwick
70,607	State of Kansas, Appellee, v. Wesley G. Benoit, Appellant.	Debra S. Byrd Attorney General Rebecca Woodman	Sedgwick
70,449	State of Kansas, Appellee, v. Darwin E. Hankins, Appellant.	Debra S. Byrd Attorney General Jessica R. Kunen	Sedgwick
1:30 p.m.			
70,465	Sherwin W. Taylor, Appellant, v. State of Kansas, Appellee.	Reid Nelson Attorney General Debra S. Bryd	Sedgwick

(continued)

70,420	State of Kansas, Appellee, v. Kevin D. Crowder, Appellant.	Debra S. Bryd Attorney General Stephen Moss	Sedgwick
2:30 p.m.			
70,499	State of Kansas, Appellee, v. Silver Medina, Appellant.	County Attorney Attorney General Reid Nelson	Wichita
70,335	State of Kansas, Appellee, v. Michael W. Budde, Appellant.	County Attorney Attorney General Stephen Moss	Harvey
69,023	State of Kansas, Appellee, v. Donald F. Reynolds, Jr., Appellant.	County Attorney Attorney General Julie Gorenc	Montgomery
Wednesday, July 20, 1994			
9:00 a.m.			
Case No.	Case Name	Attorneys	County
70,604 71,001	Terrill Walter Bell, et al., Appellees, v. Byron Brittain, et al., Appellants.	John T. Steere Gregory C. Nye	Harvey
10:00 a.m.			
70,701	Velvie Myrtle Peel, Appellee, v. L. Ray Wolfe, et al., and Farm Credit Bank, Appellant.	Gary House Orlin L. Wagner Frank C. Beyerl	Chautauqua
70,478	Randy Young, Appellant, v. State of Kansas, Appellee.	Douglas Crotty III Attorney General County Attorney	Finney
Summary Calendar—No Oral Argument			
70,720	In the Matter of the Marriage of Susan L. Burns and Tom E. Burns.	Richard M. Blackwell Tom E. Burns, pro se	Saline
70,654	State of Kansas, Appellee, v. Raul Montez-Juardo, Appellant.	Debra S. Byrd Attorney General Edward Collister, Jr.	Sedgwick
70,447	State of Kansas, Appellee, v. Mart V. Boatman, Appellant.	County Attorney Attorney General Edward Collister, Jr.	Crawford

**Kansas Court of Appeals
Court of Appeals Courtroom, Second Floor, Kansas Judicial Center
Topeka, Kansas**

Tuesday, July 19, 1994

**Before Rulon, P.J.; Royse, J.; and Richard B. Walker,
District Judge, assigned.**

9:00 a.m.

70,738	Claude and Patricia Savage, Appellees, v. Jeff Huss, Appellant.	Les E. Diehl Mike Broemmel	Shawnee
69,941	Steven Havenstein, Appellee, v. LeRoy Miller, et al., Appellants.	Robert L. Pottroff Harold S. Youngentob Ronald D. Heck David A. Hanson Donald D. Barry	

10:30 a.m.

70,841	State ex rel. Securities Comm., Appellee, v. Mary V. Schermerhorn, et al., Appellants.	Caroline M. Ong Barbara Soza, pro se Denise Merklein, pro se Roger Weber, pro se Benny and Susan Berry, pro se William Racette, pro se Darrel Berry, pro se Charles and Sherrie Berry, pro se	Shawnee
--------	--	--	---------

Summary Calendar—No Oral Argument

70,241	Southwestern Bell Tele. Co., Appellee, v. Hassan Law Firm, Chtd., et al., Appellants.	Thomas A. Valentine Michael G. Smith Sulaimon Adebayo Hassan	Shawnee
--------	--	--	---------

Before Rulon, P.J.; Green, J.; and Richard B. Walker,
District Judge, assigned.

1:15 p.m.

70,946	U.S.D. 501, Appellant, v. Dennis Wainwright, Appellee.	Wesley A. Weathers	Shawnee
71,157	Leslie Safarik, Appellee, v. L.E. Bruce, Warden, Appellant.	Jonathan Paretsky Ron Svaty	Ellsworth
69,626	State of Kansas, Appellee, v. Patrick E. Wiles, Appellant.	Timothy Madden District Attorney Attorney General Benjamin Wood	Douglas

Summary Calendar—No Oral Argument

70,977	State of Kansas, Appellee, v. Wayne Ralph Kirk, Appellant.	County Attorney Attorney General Donald R. Hoffman	Osage
--------	--	--	-------

Before Green, P.J.; Royse, J.; and Richard B. Walker,
District Judge, assigned.

3:00 p.m.

71,141	Munden State Bank, Appellee, v. Brian Hammond, Appellant.	Timothy H. Girard Darrell E. Miller Larry G. Michel	Republic
70,635	Earl E. Wilburn, Appellant, v. State of Kansas, Appellee.	Debra Wilson Attorney General County Attorney	Atchison
70,933	Louis Mello, Appellant, v. Shelter Mut. Ins. Co., et al., Appellees.	Charels D. McAtee Laura L. McConwell Thomas E. Wright	Shawnee

Summary Calendar—No Oral Argument

70,689	State of Kansas, Appellee, v. James Merriweather, Appellant.	District Attorney Attorney General Stephen Moss	Wyandotte
--------	--	---	-----------

Wednesday, July 20, 1994

Before Royse, P.J.; Rulon J.; and Steven R. Becker,
District Judge, assigned.

9:00 a.m.

Case No.	Case Name	Attorneys	County
70,195	State of Kansas, Appellee, v. Michael B. Lewis, Appellant.	District Attorney Attorney General Stephen Moss	Shawnee

(continued)

69,808	State of Kansas, Appellee, v. Donald R. Nelson, Appellant.	District Attorney Attorney General J. Patrick Lawless, Jr.	Johnson
70,058	State of Kansas, Appellee, v. Tarlton C. White, Appellant.	District Attorney Attorney General Jessica R. Kunen	Johnson
Summary Calendar—No Oral Argument			
70,146	State of Kansas, Appellee, v. Jack R. Sandidge, Appellant.	County Attorney Attorney General J. Patrick Lawless, Jr.	McPherson
Before Royse, P.J.; Green, J.; and Steven R. Becker, District Judge, assigned.			
11:00 a.m.			
70,739	Patricia Sue Carl, Appellee, v. Ralph Edward Carl, Appellant.	Marilyn K. Slezak	Johnson
70,704	Leslie Hayes Trickett, Appellee, v. Kelly F. Hayes, Appellant.	Roger L. Sherman Thomas J. Erker	Johnson
1:15 p.m.			
70,919	Donna Warren, Appellee, v. Robert Bryant, Appellee, and Prudential Ins. Co., Appellant.	Edward G. Collister Jr. Steve F. Fabert Paul Hasty Jr.	Douglas
Summary Calendar—No Oral Argument			
70,745	In the Matter of the Marriage of Estella Ann Haffner and Patrick Joseph Haffner.	Calvin K. Williams Thomas C. Boone	Sheridan
70,835	Charles Hunter, Appellant, v. State of Kansas, Appellee.	Rick Kittel Attorney General District Attorney	Douglas
Before Green, P.J.; Rulon, J.; and Steven R. Becker, District Judge, assigned.			
2:00 p.m.			
70,343	In the Matter of the Marriage of Cathy Lynn Freund Dawes and Jackie Lester Freund, Jr.	Martin Asher Wallace M. Buck, Jr.	Douglas
70,591	In the Matter of the Estate of Jerome Dougherty, deceased.	Stephen D. Harris Caroline Dougherty, pro se D. Randall Heilman	Geary
70,349	Kathy Rishel, Appellant, v. Michael Turner, et al., Appellees.	Michael J. Friesen E. Edward Brown	Finney
Summary Calendar—No Oral Argument			
70,540	State of Kansas, Appellee, v. Mark L. Riggins, Appellant.	District Attorney Attorney General Jeffrey Shaw	Shawnee

State of Kansas

Board of Agriculture

Temporary 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 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.)

tive Jan. 14, 1991; amended Jan. 25, 1993; amended, T-4-7-1-94, July 1, 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.)

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 of 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.)

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.)

Phillip A. Fishburn
Acting Secretary of Agriculture

Doc. No. 015096

State of Kansas

Secretary of State

Temporary Administrative Regulations

Article 19.—ELECTRONIC FILING

7-19-1. Electronic filing, definitions. (a) "Electronically filed document" means a financing statement, amendment, continuation statement, termination statement, release, or assignment, filed pursuant to these rules and regulations.

(b) "Electronic filing" means the authorized electronic transmission of information required by the uniform commercial code and these rules, from a secured party or the secured party's representative, to the secretary of state, by filing a financing statement, amendment, continuation statement, termination statement, release, or assignment pursuant to K.S.A. 84-9-402, K.S.A. 84-9-403, K.S.A. 84-9-404, K.S.A. 84-9-405, and K.S.A. 84-9-406.

(c) "Filing party" means either a secured party or the secured party's representative authorized to make electronic filings. This regulation shall take effect on and after July 1, 1994. (Authorized by and implementing K.S.A. 1993 Supp. 84-9-402, as amended by 1994 H.B. 2693, section 2; effective, T-7-7-1-94, July 1, 1994.)

7-19-2. Electronic filing, authorized user. A filing party may be authorized for electronic filing upon the written authorization of the secretary of state and the Information Network of Kansas (INK).

(a) The secretary of state and INK shall authorize a filing party for electronic filing if:

(1) the filing party has an account with INK; and

(2) the secretary of state and INK determine, after appropriate testing, that the secretary of state is capable of receiving, indexing, and retrieving the data transmitted by the filing party.

(b) The secretary of state may suspend or revoke authorization for electronic filing when, in the secretary of state's discretion, it is determined that a filing party's transmissions are incompatible with the electronic filing system, or upon notification from INK that the filing party is delinquent in payment on its account.

(c) A request to be authorized for electronic filing shall be addressed to INK, 400 S.W. 8th Ave., Topeka, KS 66603. Upon receipt of a request for authorization, INK shall notify the secretary of state. INK shall provide the requesting party with necessary information and software or specifications to test the filing party's electronic filing capabilities.

(d) If the filing party is authorized for electronic filing, INK shall assign an identification number to the filing party. If the filing party will act as a representative for another secured party, the filing party shall submit to INK a sworn statement attesting to such authorization signed by the secured party, and INK shall assign an identification number to the secured party. If the secured party terminates its relationship with the filing party, the secured party shall notify INK in writing and its identification number shall be invalidated. This regulation shall take effect on and after July 1, 1994. (Authorized by and implementing K.S.A. 1993 Supp. 84-9-402, as

amended by 1994 H.B. 2693, section 2; effective, T-7-7-1-94, July 1, 1994.)

7-19-3. Electronic filing, contents of transmission. (a) Each transmission of one or more documents for electronic filing shall include, in addition to the applicable requirements of K.S.A. 84-9-402 et seq., identification of the filing party in a form approved by the secretary of state and INK.

(b) An electronically filed document that requires identification of a debtor shall contain the federal tax identification number or social security number of the debtor and shall indicate whether the debtor is an individual or another entity.

(c) The secretary of state, when responding to a request for a paper copy of an electronically filed document, shall print the copy with a notation that the document is an electronically filed document. (Authorized by and implementing K.S.A. 1993 Supp. 84-9-402, as amended by 1994 H.B. 2693, section 2; effective, T-7-7-1-94, July 1, 1994.)

7-19-4. Electronic filing, signature of debtor and secured party. Each electronically filed document shall contain the signature of the debtor or secured party when required by K.S.A. 84-9-402, K.S.A. 84-9-403, K.S.A. 84-9-404, K.S.A. 84-9-405, or K.S.A. 84-9-406.

(a) For each electronically filed document requiring the signature of the debtor, the name of the debtor shall be transmitted in a field designated as the debtor signature field. The secured party shall maintain an original writing signed by the debtor in which the debtor adopts the contents of the debtor signature field with the intent to authenticate the electronically filed document. The original writing shall be in the following form:

"Authentication of Electronically Filed Document

I, the undersigned, authorized (insert name of secured party) to transmit (insert contents of debtor signature field) to the secretary of state of Kansas for the purpose of authenticating an electronically filed document described as follows:

Document (check document being filed)	Description (provide brief collateral description)
<input type="checkbox"/> UCC financing statement	
<input type="checkbox"/> UCC continuation	
<input type="checkbox"/> UCC release	
<input type="checkbox"/> UCC assignment	
<input type="checkbox"/> UCC termination	
<input type="checkbox"/> UCC amendment	

I hereby adopt the symbol transmitted to the secretary of state of Kansas and designated in the preceding paragraph, with the intent to authenticate the document described above, as required by K.A.R. 7-19-4.

Name of debtor _____
Signature _____
Date _____

(b) For the signature of the secured party, a symbol designated as the secured party's signature shall be transmitted in the secured party signature field. The transmission of the symbol in the secured party signature field shall indicate that the secured party maintains a writing signed by the secured party in which the secured party adopts the symbol with the intent to authenticate the electronically filed document. (Authorized by and implementing K.S.A. 1993 Supp. 84-9-402, as amended by 1994 H.B. 2693, section 2; effective, T-7-7-1-94, July 1, 1994.)

7-19-5. Electronic filing, identification of secured party. When a rule and regulation governing electronic filing requires the name of the secured party, the name of the secured party of record, or the address of the secured party, the filing party shall transmit to the secretary of state and INK a secured party identification number designated by INK. This regulation shall take effect on and after July 1, 1994. (Authorized by and implementing K.S.A. 1993 Supp. 84-9-402, as amended by 1994 H.B. 2693, section 2; effective, T-7-7-1-94, July 1, 1994.)

7-19-6. Electronic filing, date of filing, tender of filing fee. (a) An electronically filed document shall be deemed to have been filed on the date and at the time the transmission is received and confirmed by the secretary of state.

(b) The filing party shall be provided by the secretary of state, through INK, with a confirmation of all documents in a transmission that meet the requirements of these rules and regulations, the date and time of filing, and a statement within the confirmation that the filing party's INK account has been assessed the filing fees.

(c) A document transmitted to the secretary of state that does not contain the information required by these rules and regulations shall not be filed, and the filing party shall be provided by the secretary of state, through INK, with a notice that identifies the document and states the reason for rejection of the document. This regulation shall take effect on and after July 1, 1994. (Authorized by and implementing K.S.A. 1993 Supp. 84-9-402, as amended by 1994 H.B. 2693, section 2; effective, T-7-7-1-94, July 1, 1994.)

Bill Graves
Secretary of State

Doc. No. 015097

State of Kansas

The Kansas Lottery

Temporary Administrative Regulations

Article 1.—GENERAL OPERATION

111-1-5. Restrictions on who may participate. (a) Persons directly involved in the production of the televised draw show, the installation and maintenance of computers or computer equipment for on-line games, the installation and maintenance of telecommunications equipment connecting on-line terminals to the central computer system, and any person, or any officers, agents or employees of a business providing supplies, services and equipment used directly in the operation of a lottery game or any other employee of such a business working the majority of his or her time at the Kansas lottery or any regional lottery office, are precluded from purchasing lottery tickets and from winning prizes. Persons only tangentially connected to the Kansas lottery are not included within this prohibition.

(b) Any officer, agent or employee of a business, including a Kansas lottery retailer, as well as any person residing in the same household as such an officer, agent

or employee, which participates in a promotional event with the Kansas lottery, is prohibited from winning any prize awarded as a result of such event.

(c) In the event of a dispute concerning this requirement, the executive director has the authority to determine the facts underlying the dispute and make a decision as to the participation of such a person in purchasing lottery tickets and winning prizes. (Authorized by K.S.A. 74-8710; and implementing K.S.A. 74-8710; and 74-8719; effective, T-111-11-16-88, Nov. 15, 1988; amended, T-111-12-19-88, Dec. 16, 1988; amended, T-111-4-13-89, April 7, 1989; amended, T-111-6-28-94, June 17, 1994.)

Article 4.—INDIVIDUAL GAME RULES

111-4-100. Name of Drawing. The Kansas Lottery shall conduct a series of instant ticket drawings entitled "State Fair Drawings." The dates of the drawings shall coincide with the 1994 Kansas State Fair in Hutchinson, Kansas. The times and dates of the drawings shall be as follows:

Date	Drum Opens	Draw	Drum Opens	Drum Closes
Sept. 9	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 10	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 11	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 12	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 13	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 14	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 15	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 16	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 17	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 18	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 18	"State Fair Grand Prize Drawing" . . . Immediately following the 6:00 p.m. drawing.			

(Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-7-88, Sept. 7, 1988; amended, T-111-8-24-89, Aug. 18, 1989; amended, T-111-9-8-89, Sept. 8, 1989; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-9-1-92, Aug. 28, 1992; amended, T-111-7-9-93, June 25, 1993; amended, T-111-6-28-94, June 17, 1994.)

111-4-101. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Kansas State Fair" or "State Fair" means the annual fair held in Hutchinson, Kansas.

(c) "Kansas Lottery State Fair Drawings" or "State Fair Drawings" means the acts of drawing prizes conducted by the Kansas Lottery at the state fair in which participants are selected to win various prizes as described in K.A.R. 111-4-104.

(d) "Co-sponsor drawings" means an act of drawing for prizes which may be held at the state fair subsequent to the "State Fair Drawings."

(e) "Co-sponsor(s)" means the person, retailer or organization designated by the executive director to assist in organizing the "Kansas Lottery State Fair Drawings."

(f) "Non-winning ticket" means any valid Kansas "Bank Roll," "Double Doubler" or "3 Times Lucky" in-

(continued)

stant game lottery ticket not eligible to win a prize under "Bank Roll," "Double Doubler" or "3 Times Lucky" instant game rules.

(g) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "State Fair Drawings" are made. Receptacles or drums shall be sealable and drums shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(h) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm.

(i) "State Fair Grand Prize Drawing" or "Grand Prize Drawing" means the drawing which will occur immediately following the 6:00 p.m. daily drawing on September 18, 1994, for the prize(s) described at K.A.R. 111-4-104. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-7-88, Sept. 6, 1988; amended, T-111-8-24-89, Aug. 18, 1989; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993; amended, T-111-6-28-93, June 17, 1994.)

111-4-104. Prizes. (a) The winners selected at the "State Fair Drawings" specified in K.A.R. 111-4-100 between September 9 and September 18, 1994, shall receive a prize of not less than one hundred dollars (\$100). All winners in the 1994 State Fair lottery drawings remain eligible for the "State Fair Grand Prize Drawing." The "State Fair Grand Prize Drawing" will occur immediately following the 6:00 p.m. daily drawing at the Kansas lottery building on September 18, 1994, and the winner shall receive a new 1994 or a 1995 vehicle on display by the lottery and cash with a total value of \$30,000.00. All prize awards are subject to lottery validation, set offs and deductions provided by law.

(b) A player who purchases at least \$5.00 worth of any combination of instant and/or on-line tickets at the lottery state fair building or lottery tent is entitled to one spin of the lottery wheel at the state fair lottery building to win a lottery promotional prize. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-7-88, Sept. 6, 1988; amended, T-111-8-24-89, Aug. 18, 1989; amended, T-111-9-8-89, Sept. 8, 1989; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-10-27-92, Sept. 11, 1992; amended, T-111-7-9-93, June 25, 1993; amended, T-111-6-28-94, June 17, 1994.)

111-4-105. Entry into drawing. Entry into the "State Fair Drawing" is accomplished by the process detailed in the following subparagraphs:

(a) Obtain a valid "Bank Roll," "Double Doubler" or "3 Times Lucky" Kansas instant lottery ticket;

(b) Determine if the ticket is a winning ticket in accordance with "Bank Roll," "Double Doubler" or "3 Times Lucky" game rules. If the ticket is a winning ticket, it is not eligible for the "State Fair Drawing" and shall be redeemed in accordance with the instant game rules;

(c) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may enter the "State Fair Drawings";

(d) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner;

(e) The holder of the non-winning ticket must take the non-winning ticket with the completed information on the back of the ticket to the location of the "State Fair Drawing" and place it in the receptacle or drum provided during the "State Fair";

(f) A receptacle or drum shall be available and entries may be made at the Kansas lottery building and other lottery locations at the State Fair at the times stated in K.A.R. 111-4-100. Between July 13, 1994 and through at least August 28, 1994, receptacles shall also be available for entries at participating Kansas lottery retail locations. Receptacles will be picked up by lottery representatives from August 29, 1994 through September 9, 1994.

(1) Players may also enter by bringing entries to lottery regional offices located in Great Bend, Wichita and Topeka, or by mailing entries to "State Fair Drawings," c/o Kansas Lottery, P.O. Box 7777, Lawrence, KS 66044-7777. Entries must be received by September 15, 1994.

(2) Receptacles will also be available at Kansas lottery sponsored remotes and special events between July 13, 1994 and September 9, 1994.

(g) The holder of the ticket is not required to personally attend the "State Fair Drawing" or be present at the time of the drawing to be determined a winner;

(h) The drawings will be conducted at the approximate times listed in K.A.R. 111-4-100.

(i) There is no limit to the number of entries a participant may make. (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-9-7-88, Sept. 6, 1988; amended, T-111-8-24-89, Aug. 18, 1989; amended, T-111-9-8-89, Sept. 8, 1989; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-8-29-91, Aug. 23, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993; amended, T-111-6-28-94, June 17, 1994.)

111-4-106. Determination of "State Fair Drawing" winners. (a) At least ten minutes before the drawings, the co-sponsor or person designated by the executive director, shall announce to the audience the time that the winner selection process will begin. Any persons wishing to enter the drawing who have not yet done so, shall immediately place their tickets into the receptacle or drum at this time.

(b) Prior to sealing the receptacle or drum, the co-sponsor or person designated by the executive director shall announce that entries into the "State Fair Drawings" are closed. No further entries will be accepted.

(c) All non-winning tickets placed in receptacles or drums at the locations identified in subsections (e) and (f) of K.A.R. 111-4-105 shall be combined under the supervision of lottery security personnel present prior to the first "State Fair Drawing."

(d) Daily drawings shall be conducted only from entries placed in receptacles or drums at state fair lottery locations. After the first daily drawing subsequent daily drawings shall be drawn from entries received from the

close of each daily drawing until the close of the next daily drawing.

(e) The receptacle or drum shall be sealed and rotated a minimum of 10 times or mixed thoroughly with a shovel for two minutes by lottery security personnel present to ensure random selection.

(f) The executive director shall designate one individual of his choice to participate in the selection process.

(g) The selection of "State Fair Drawing" winners shall be accomplished by the individual designated by the executive director, using a bare arm technique, removing only one ticket from the receptacle in which all entries were placed. A person representing the executive director and a law enforcement officer approved by the Kansas lottery, division of security, shall review the selected ticket to determine if the name stated on the information form located on the back of the selected ticket is legible. If the name is determined to be legible and it is determined by lottery security to be a valid ticket eligible for drawings identified in K.A.R. 111-4-100, the name of the winner shall be announced to the audience.

(h) The named person is not required to be present in order to win the "State Fair Drawing" prizes described in K.A.R. 111-4-104, including the "State Fair Grand Prize Drawing." The security person conducting the drawing shall be responsible for the final determination concerning the legibility of the name on any ticket drawn.

(i) The person whose ticket has been drawn from the receptacle or drum at each drawing shall be determined a "State Fair Drawing" winner.

(j) Each winner shall be given a prize claim form to be completed and returned to the lottery.

(k) If the name on any ticket drawn is not legible, the ticket drawn will be void and the selection process shall be repeated until a valid ticket eligible for drawings identified in K.A.R. 111-4-100 is selected. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-7-88, Sept. 8, 1988; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-9-1-92, Aug. 28, 1992; amended, T-111-6-28-94, June 17, 1994.)

111-4-112. Validation of winner. The following validation requirements shall apply to all tickets for the "State Fair Drawings":

(a) The ticket must have been issued by the Kansas lottery in an authorized manner and must not be counterfeit in whole or in part;

(b) The ticket must be complete and intact and not mutilated, altered, unreadable, reconstructed, or tampered with in any way;

(c) The ticket must not be blank or partially blank, misregistered, defective, or printed or produced in error;

(d) The display printing on the ticket must be regular in every respect and correspond precisely with the artwork on file at the Kansas lottery;

(e) The ticket must not be stolen nor appear on any list of omitted tickets on file at the Kansas lottery;

(f) The ticket must have exactly one ticket validation number, one book-ticket number, and two retailer validation codes, each of which must be present in its entirety, be fully legible, be exactly as described in para-

graph (b) above, and correspond precisely to the artwork on file at the Kansas lottery. The ticket validation number shall correspond to the play symbols on the ticket; and

(g) The ticket validation number of an apparent "State Fair Drawing" winning ticket shall not appear on the Kansas lottery's official list of ticket validation numbers of winning tickets.

(h) The ticket must be a valid non-winning "Bank Roll," "Double Doubler" or "3 Times Lucky" Kansas lottery instant game ticket. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-7-88, Sept. 7, 1988; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993; amended, T-111-6-28-94, June 17, 1994.)

**RULES FOR INSTANT GAME NO. 75
"BANK ROLL"**

111-4-586. Name of game. The Kansas Lottery shall conduct an instant winner lottery game entitled "Bank Roll" commencing on or after July 5, 1994. The specific rules for the "Bank Roll" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-586 through 111-4-589. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-6-28-94, June 17, 1994.)

111-4-587. Definitions. The following definitions shall apply to the "Bank Roll" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in WGI Symbol Font 15 with matching captions in WGI Cap Font. A game symbol appears in each of nine play spots within the play area. Each game symbol for this instant game is one of the following: FREE - \$2.⁰⁰ - \$4.⁰⁰ - 10.⁰⁰ - 25.⁰⁰ - 50.⁰⁰ - \$1000.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
FREE	TICKET
\$2. ⁰⁰	TWOS\$
\$4. ⁰⁰	FOURS\$
10. ⁰⁰	TENS\$
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$1000	ONE-THOU

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears below the game symbols under the removable covering in the play area on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket

(continued)

number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of six varying locations among the game symbols. The codes and their meanings are as follows: AA = FREE; DD = \$2.00; JJ = \$4.00; BB = \$10.00; RR = \$25.00. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-6-28-94, June 17, 1994.)

111-4-588. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the nine game symbols and captions. This is a match three (3) of nine (9) game. If three (3) of the nine (9) concealed prize amounts match, the player wins the amount shown. No ticket will be eligible to win more than one prize. Prizes a player may win are as follows:

Get	Win
3-FREE	One Ticket
3-\$2.00	Two Dollars
3-\$4.00	Four Dollars
3-\$10.00	Ten Dollars
3-\$25.00	Twenty-Five Dollars
3-\$50.00	Fifty Dollars
3-\$1000.00	One Thousand Dollars

(Authorized by K.S.A. 74-8710(b), (c) & (i); implementing K.S.A. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-6-28-94, June 17, 1994.)

111-4-589. Number and value of instant prizes. (a) There will be approximately 2,400,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE	240,000	\$ -0-
\$2	96,000	192,000
\$4	80,000	320,000
\$10	24,000	240,000
\$25	16,000	400,000
\$50	1,200	60,000
\$1,000	24	24,000
	<u>457,224</u>	<u>\$1,236,000</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) & (f); implementing K.S.A. 74-8710(b), (c) & (f); and 74-8720; effective, T-111-6-28-94, June 17, 1994.)

**RULES FOR INSTANT GAME NO. 76
"DOUBLE DOUBLER"**

111-4-590. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Double

Doubler" commencing on or after July 18, 1994. The specific rules for the "Double Doubler" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-590 through 111-4-593. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-6-28-94, June 17, 1994.)

111-4-591. Definitions. The following definitions shall apply to the "Double Doubler" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in WGI Symbol Font 15 with matching symbols in WGI Cap Font. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: \$1.⁰⁰ - \$2.⁰⁰ - \$5.⁰⁰ - 20.⁰⁰ - 40.⁰⁰ - \$2500 - \$5000 - "Single Prize" - "Double Prize" - "Double Doubler."

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

Game Symbol	Game Symbol Caption
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
20. ⁰⁰	TWENTY
40. ⁰⁰	FORTY
\$2500	25-HUN
\$5000	FIVETHOU
SINGLE PRIZE	SINGLE
DOUBLE PRIZE	DOUBLER
DOUBLE DOUBLER	4XPRIZE

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears below the game symbols under the removable covering in the play area on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of six varying locations among the game symbols. The codes and their meanings are as follows: CC = \$1.00; DD = \$2.00; JJ = \$4.00; KK = \$5.00; BB = \$10.00; NN = \$20.00. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-6-28-94, June 17, 1994.)

111-4-592. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off"

the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three (3) of six (6) game which includes a doubler which is double the prize amount shown and a double doubler which is four times the prize amount shown. If three (3) of the six (6) concealed prize amounts match, the player wins the amount shown if the "Your Prize Level" box shows "Single Prize." If "Your Prize" box shows "Double Prize," the player wins double the prize amount. If the "Your Prize" box shows "Double Doubler," the player wins four times the prize amount. No ticket will be eligible to win more than one prize. Prizes a player may win are as follows:

Get	Win
3-\$1's (single prize)	One Dollar
3-\$2's (single prize)	Two Dollars
3-\$1's (double prize)	Two Dollars
3-\$1's (double doubler)	Four Dollars
3-\$5's (single prize)	Five Dollars
3-\$5's (double prize)	Ten Dollars
3-\$5's (double doubler)	Twenty Dollars
3-\$20's (double prize)	Forty Dollars
3-\$40's (single prize)	Forty Dollars
3-\$20's (double doubler)	Eighty Dollars
3-\$2,500's (single prize)	Two Thousand Five Hundred Dollars
3-\$2,500's (double prize)	Five Thousand Dollars
3-\$5,000's (double prize)	Ten Thousand Dollars
3-\$2,500's (double doubler)	Ten Thousand Dollars

(Authorized by K.S.A. 74-8710 (b), (c) & (i); implementing K.S.A. 74-8710 (b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-6-28-94, June 17, 1994.)

111-4-593. Number and value of instant prizes. (a) There will be approximately 2,700,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
3-\$1's (single prize)	207,000	\$207,000
3-\$2's (single prize)	36,000	72,000
3-\$1's (double prize)	72,000	144,000
3-\$1's (double doubler)	27,000	108,000
3-\$5's (single prize)	45,000	225,000
3-\$5's (double prize)	27,000	270,000
3-\$5's (double doubler)	18,000	360,000
3-\$20's (double prize)	1,350	54,000
3-\$40's (single prize)	1,350	54,000
3-\$20's (double doubler)	135	10,800
3-\$2,500's (single prize)	2	5,000
3-\$2,500's (double prize)	2	10,000
3-\$5,000's (double prize)	2	20,000
3-\$2,500's (double doubler)	1	10,000
	<u>434,842</u>	<u>\$1,549,800</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) & (f); implementing K.S.A. 74-8710(b), (c) & (f); and 74-8720; effective, T-111-6-28-94, June 17, 1994.)

Article 7.—CASH LOTTO GAME RULES

111-7-66. Game description; drawing. (a) Pick 3 is a daily game in which drawings shall be conducted

every day but Sunday in accordance with lottery procedures.

(b) To play Pick 3 a player shall select a set of three single digit numbers from three sets of single digit numbers beginning with zero and progressing by increments of one through the number nine by (1) communicating the numbers to the retailer; (2) marking up to four boards on each play slip and submitting the play slip to the retailer; or (3) requesting a quick pick from the retailer.

(c) The cost of a single ticket shall be either \$.50 per play times the number of plays, or \$1.00 per play times the number of plays, depending on the type of wager to be made.

(d) A validated ticket shall be the only proof of a game play or plays, and the submission of a winning ticket to and receipt of the ticket by the lottery or its authorized retailer shall be the sole method of claiming a prize or prizes. A play slip has no pecuniary or prize value and shall not constitute evidence of ticket purchase, of numbers selected or prizes to be paid.

(e) A ticket may not be voided or cancelled by returning the ticket to the selling retailers, including tickets that are printed in error except as provided in K.A.R. 111-7-66a.

(f) Ticket sales will end at approximately 6:45 p.m. central time on each drawing day and resume at approximately 7:00 p.m.

(g) Drawings will be conducted daily except Sundays at approximately 6:55 p.m. central time immediately after the game is closed, under conditions and procedures promulgated by the executive director of the lottery. Winning number combinations shall be generated daily except Sundays through the use of a computer-driven random number generator located at lottery headquarters. The generator shall be statistically analyzed, tested, and certified by an independent qualified statistician for integrity. Periodic checks shall be made to ensure the randomness of the system at least annually.

(h) It shall be the sole responsibility of the player to verify the accuracy of the game plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the on-line retailer who is acting on behalf of the player in entering the plays. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-18-91, Dec. 13, 1991; amended, T-111-7-1-92, June 26, 1992; amended, T-111-10-27-92, Sept. 11, 1992; amended, T-111-10-22-93, Oct. 15, 1993; amended, T-111-6-28-94, June 17, 1994.)

Gregory P. Ziemak
Executive Director

Doc. No. 015101

State of Kansas

Department of Health
and EnvironmentPermanent Administrative
RegulationsArticle 16.—WATER POLLUTION
CONTROL

SURFACE WATER QUALITY STANDARDS

28-16-28b. Definitions. As used in these regulations: (a) "A condition of acute toxicity" means any concentration of a toxic substance that exceeds the applicable acute criterion for aquatic life support presented in K.A.R. 28-16-28e or, for substances not listed in K.A.R. 28-16-28e or for complex mixtures of toxic substances, any concentration that exceeds 0.3 times the median lethal concentration determined through laboratory toxicity tests conducted in accordance with the United States environmental protection agency's "Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms," fourth edition, as published in September 1991 and hereby adopted by reference.

(b) "A condition of chronic toxicity" means any concentration of a toxic substance that exceeds the applicable chronic criterion for aquatic life support presented in K.A.R. 28-16-28e or, for substances not listed in K.A.R. 28-16-28e or for complex mixtures of toxic substances, any concentration that exceeds the no-observed-effect level determined through laboratory toxicity tests conducted in accordance with the United States environmental protection agency's "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Freshwater Organisms," second edition, as published in March 1989 and hereby adopted by reference.

(c) "Alluvial aquifer" means the sediment that is associated with and deposited by a stream, and that contains water capable of being produced from a well.

(d) "Antidegradation" means the regulatory actions and measures taken to prevent or minimize the lowering of water quality in surface waters of the state, including those streams, lakes and wetlands wherein existing water quality exceeds the level required for maintenance and protection of the existing and designated uses.

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

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

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

(h) "Bioassessment methods and procedures" means the use of biological methods of assessing surface water

quality including, but not limited to, field investigations of aquatic organisms and laboratory or field aquatic toxicity tests.

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

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

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

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

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

(n) "Compliance schedule" means any provision in a discharge permit or license issued by the department pursuant to the federal clean water act or K.S.A. 65-165, that for the purposes of meeting water quality-based effluent limitations or other requirements included in the permit or license, provides a specified period of time for the construction or renovation of a wastewater treatment facility and the completion of any related scientific or engineering studies, reports, plans, or design specifications.

(o) "Criterion" means any numerical element or narrative provision of the surface water quality standards representing an enforceable water quality condition.

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

(q) "Designated use" means any of the beneficial uses specifically attributed to surface waters in K.A.R. 28-16-28d.

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

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

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

(u) "Existing use" means any of the beneficial uses described in K.A.R. 28-16-28d known to have occurred in, or to have been made of, a surface water or surface water segment on or after November 28, 1975.

(v) "Fecal coliform bacteria" means facultatively anaerobic, gram negative, non-spore forming, rod-shaped bacteria which, when cultured under specific laboratory conditions, will ferment lactose, thereby producing acid, gas, or both.

(w) "Federal clean water act" means the federal water pollution control act, 33 U.S.C. 1251 *et seq.*, as amended on February 4, 1987.

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

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

(z) "Implementation policies" means written departmental policies and procedures used for carrying out specific provisions of the surface water quality standards.

(aa) "Maximum contaminant level" means any of the enforceable standards for finished drinking water quality promulgated by the United States environmental protection agency pursuant to section 300g-1(b)(3) of the federal safe drinking water act, 42 U.S.C. 300f to 300j-9, as amended on June 19, 1986.

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

(cc) "Microfibers per liter (μ fibers/L)" means the number of microscopic particles with a length-to-width ratio of 3:1 or greater present in a volume of one liter.

(dd) "Microgram per liter (μ g/L)" means the concentration of a substance at which one one-millionth of a gram (10^{-6} g) of the substance is present in a volume of one liter.

(ee) "Milligram per liter (mg/L)" means the concentration of a substance at which one one-thousandth of a gram (10^{-3} g) of the substance is present in a volume of one liter.

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

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

(hh) "Nonpoint source" means any of a variety of diffuse sources of water pollution including, but not limited to, precipitation runoff from agricultural lands, the aerial drift and deposition of air contaminants, and the intrusion and seepage of subsurface brine or other contaminated groundwaters.

(ii) "No-observed-effect level" means the highest concentration of a toxic substance, or a mixture of toxic substances, that has no statistically significant adverse effect on the population of test organisms in a chronic toxicity test.

(jj) "Outstanding natural resource water" means any of the surface waters or surface water segments of exceptional recreational or ecological significance identified in the surface water register, as defined in K.A.R. 28-16-28b(uu), and afforded the highest level of water quality protection under the antidegradation provisions of K.A.R. 28-16-28c(a) and the mixing zone provisions of K.A.R. 28-16-28c(b).

(kk) "pH" means the common logarithm of the reciprocal of the hydrogen ion concentration measured in moles per liter. pH is expressed on a scale that ranges from 0 to 14, with values less than 7 being more acidic and values greater than 7 being more alkaline.

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

(mm) "Point source" means any discernible, confined, and discrete conveyance including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or floating craft, from which pollutants are or may be discharged. This term includes structures or site conditions which act to collect and convey stormwater runoff from roadways, urban areas or industrial sites. It does not include agricultural stormwater discharges or return flows from irrigated agricultural land.

(nn) "Pollution" means:

(1) contamination or other alteration of the physical, chemical, or biological properties of the surface waters of the state, including, but not limited to, changes in temperature, taste, odor, turbidity or color of the waters, or discharges of gaseous, liquid, solid, radioactive, microbiological, or other substances into surface waters in a manner which may create a nuisance or render such waters harmful, detrimental or injurious to public health, safety or welfare, or to domestic, industrial, agricultural, recreational or other beneficial uses, or to livestock, domestic animals, or native or naturalized plant or animal life; or

(2) any discharge that will or is likely to exceed state effluent standards predicated upon technologically-based effluent limitations.

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

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

(qq) "Presedimentation sludge" means a slurry or suspension of residual solid materials derived from an initial step in the production of potable water. The solid materials include sand, silt and other easily settleable particles originating from the raw water supply.

(rr) "Private surface water" means any lake or wetland that is both located on and completely bordered by land under common private ownership.

(ss) "Seven-day, ten-year low flow (7Q10 flow)" means the seven-day average low flow having a recurrence frequency of once in ten years, as statistically determined from historical flow data. Where used in this regulation in the context of mixing zones, the term refers to a minimum stream flow occurring immediately upstream of a wastewater discharge and available, in whole or in part, for effluent dilution purposes.

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

(uu) "Surface water register" means a list of the state's major classified surface waters, surface water use designations, and outstanding natural resource waters

(continued)

periodically updated and published by the department pursuant to the requirements of K.A.R. 28-16-28d(c)(2) and K.A.R. 28-16-28f(a).

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

(ww) "Surface waters" means all:

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

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

(3) wetlands, including water bodies meeting the technical definition for jurisdictional wetlands given in the "Federal Manual for Identifying and Delineating Jurisdictional Wetlands", as published on January 10, 1989 by the federal interagency committee for wetland delineation and hereby adopted by reference.

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

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

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

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

(bbb) "Use attainability analysis" means any study conducted or accepted by the department that is designed to determine whether a surface water or surface water segment supports, or is capable of supporting in the absence of artificial sources of pollution, one or more of the designated uses defined in K.A.R. 28-16-28d(a).

(ccc) "Variance" means the department's written approval and permitting of a proposed action that knowingly will result in a lack of conformity with one or more of the criteria of K.A.R. 28-16-28e(c) but that is deemed necessary based on regional socioeconomic hardship considerations.

(ddd) "Water-effect ratio (WER)" means the numerical toxicity (median lethal concentration or no-observed-effect level) of a chemical pollutant diluted in water from a given stream, lake or wetland divided by the numerical toxicity of the same pollutant diluted in laboratory water.

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

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

(ggg) "Zone of initial dilution" means the region of a surface water in the immediate vicinity of a discharge which comprises, in terms of volume, no more than ten percent of the mixing zone. (Authorized by K.S.A. 65-

171d; implementing K.S.A. 65-165 and K.S.A. 65-171d; effective May 1, 1986; amended Aug. 29, 1994.)

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

(1) Levels of water quality necessary to protect existing and designated uses shall be maintained in surface waters of the state.

(2) If existing surface water quality is better than applicable water quality criteria established in these regulations, water quality shall not be lowered unless, after full satisfaction of the intergovernmental coordination and public participation requirements of the Kansas implementation policies on antidegradation, the department has determined that a lowering of water quality is needed to provide for important social and economic development in the geographical area in which the waters are located. In those instances where the department permits the lowering of surface water quality, the existing and designated uses shall be fully protected and the highest statutory and regulatory requirements for all point sources of pollution and all cost effective and reasonable best management practices for nonpoint sources of pollution shall be achieved.

(3) Existing water quality shall not be lowered by artificial sources of pollution in any outstanding natural resource water designated in accordance with K.A.R. 28-16-28d(c).

(4) No degradation of surface water quality by artificial sources of pollution shall be allowed that would result in harmful effects on populations of any threatened or endangered species of aquatic or semi-aquatic life or terrestrial wildlife in a critical habitat as defined in the federal endangered species act, 16 U.S.C. 1531 *et seq.*, as amended on October 7, 1988, or in K.S.A. 1992 Supp. 32-960 and K.A.R. 115-15-3.

(5) Temporary sources of pollution complying with the provisions of K.A.R. 28-16-28c(d) and K.A.R. 28-16-28e(b), and producing only ephemeral surface water quality degradation not harmful to existing or designated uses, may be allowed by the department.

(6) Implementation of these antidegradation provisions for thermal discharges shall be consistent with the requirements of the federal clean water act.

(b) Mixing zones.

(1) General limitations. Mixing zones shall not extend across public drinking water intakes or swimming or boat ramp areas, nor exist in locations that will preclude the normal upstream or downstream movement or migration of aquatic organisms. Mixing zones associated with separate discharges shall not overlap unless it is demonstrated, to the department's satisfaction, that the overlapping will not result in a violation of any of the general water quality criteria set forth in K.A.R. 28-16-28e(b) or in an impairment of any of the existing or designated uses of the receiving surface water.

(2) Discharges into classified streams.

(A) No mixing zone within a classified stream shall extend beyond the middle of the nearest downstream current crossover point, where the main current flows from one bank to the opposite bank, or more than 300 meters downstream from the point of effluent discharge.

(B) If the ratio of receiving stream 7Q10 flow to discharge design flow is less than 3:1, the cross-sectional

area of the mixing zone shall not exceed the average cross-sectional area of the stream, as measured immediately upstream of the discharge during the 7Q10 flow.

(C) If the ratio of receiving stream 7Q10 flow to discharge design flow is equal to or greater than 3:1, the cross-sectional area of the mixing zone shall not exceed the following percentage of the average cross-sectional area of the stream, as measured immediately upstream of the discharge during the 7Q10 flow:

(i) 25 percent of the average cross-sectional area for any stream designated as an outstanding natural resource water or special aquatic life use water pursuant to K.A.R. 28-16-28d(c);

(ii) 50 percent of the average cross-sectional area for any stream designated as an expected aquatic life use water pursuant to K.A.R. 28-16-28d(c); or

(iii) 100 percent of the average cross-sectional area for any stream designated as a restricted aquatic life use water pursuant to K.A.R. 28-16-28d(c).

(D) In the calculation of the mixing zone cross-sectional area in K.A.R. 28-16-28c(b)(2)(B) and (C), an assumed 7Q10 flow of 0.003 cubic meters per second shall be applied to any outstanding natural resource water or special aquatic life use water whose actual 7Q10 flow is less than 0.003 cubic meters per second; an assumed 7Q10 flow of 0.03 cubic meters per second shall be applied to any expected aquatic life use water or restricted aquatic life use water whose actual 7Q10 flow is less than 0.03 cubic meters per second.

(3) Discharges into classified lakes. Mixing zones shall be prohibited by the department from extending into any lake designated as an outstanding natural resource water or special aquatic life use water pursuant to K.A.R. 28-16-28d(c). Mixing zones in lakes designated as expected aquatic life use waters may be allowed by the department provided they do not extend farther than 50 meters from the point of effluent discharge or comprise more than one percent of the total volume of the receiving lake as measured at conservation pool.

(4) Discharges into classified wetlands. Mixing zones shall be prohibited by the department from extending into any classified lacustrine or palustrine wetland as defined in the United States fish and wildlife service's "Classification of Wetlands and Deepwater Habitats of the United States," as published in December 1979 and hereby adopted by reference.

(5) Where site conditions preclude the rapid dispersion and dilution of effluent within the receiving surface water or where, in the opinion of the department, the presence of a mixing zone would unduly jeopardize human health or any of the existing or designated uses of the receiving surface water, the department shall reserve the right to prohibit the use of mixing zones or to place more stringent limitations on mixing zones than those stipulated in K.A.R. 28-16-28c(b)(2) and (3).

(c) Special conditions. The following special conditions shall not remove the obligation to design, build, or use the required or recommended pollution control structures or methods to control point and nonpoint sources of pollution as defined in K.A.R. 28-16-28b(hh) and (mm).

(1) Low flow. Classified streams may be excluded by the department from the application of some or all of

the requirements of K.A.R. 28-16-28e(c) when stream flow is less than the 7Q10 flow or the assumed 7Q10 flow as described in K.A.R. 28-16-28c(b)(2)(D).

(2) High flow. Classified streams may be excluded by the department from the application of the numerical criteria for fecal coliform bacteria in K.A.R. 28-16-28e(c) when stream flow exceeds 50% of the estimated two-year flood flow.

(3) Effluent-created flow. For any classified stream segment in which continuous flow is sustained primarily through the discharge of treated effluent, and in which all designated uses are otherwise unattainable due to low or nonexisting flow, the discharger shall not be required to provide treatment beyond that treatment required in K.A.R. 28-16-28c(d)(1) unless such discharge would otherwise result in violations of one or more of the general surface water quality criteria listed in K.A.R. 28-16-28e(b) or in an impairment of any of the existing or designated uses of a downstream classified surface water segment.

(d) Treatment requirements.

(1) All effluent shall receive appropriate minimum levels of treatment as required by the federal clean water act.

(2) Effluent shall receive a higher level of treatment than that stipulated in K.A.R. 28-16-28c(d)(1), (3), or (4) if the department determines that this higher level of treatment is needed to fully comply with the terms and conditions of K.A.R. 28-16-28c(a) or K.A.R. 28-16-28e.

(3) Waste stabilization ponds providing at least 120 days detention and with at least three cells, and treating domestic sewage, and meeting "Minimum Standards of Design" as published by the department on August 17, 1978 and hereby adopted by reference, shall be deemed to provide acceptable levels of disinfection and ammonia removal.

(4) Wastewater effluent shall be disinfected if it is determined by the department that the discharge of non-disinfected wastewater will cause a threat to public health. Situations which constitute a threat to public health shall include but not be limited to instances in which a water body is known or likely to be used for:

(A) contact or noncontact recreation; or

(B) domestic water supply.

(e) Analytical testing. All methods of sample collection, preservation, and analysis used in applying any of these rules and regulations shall be in accordance with those methods prescribed by the department.

(f) Application of standards to privately-owned surface waters. The application of water quality standards to privately owned water bodies shall be subject to the provisions of K.S.A. 65-171d. (Authorized by K.S.A. 65-171d; implementing K.S.A. 65-165 and 65-171d; effective May 1, 1986; amended, T-87-8, May 1, 1986; amended May 1, 1987; amended Aug. 29, 1994.)

28-16-28d. Surface water use designation and classification. (a) Designated uses of surface waters are defined as follows.

(1) "Agricultural water supply use" means the use of surface water for agricultural purposes including:

(A) "Irrigation," which means the withdrawal of surface water for application onto land; and

(continued)

(B) "Livestock watering," which means the provision of surface water to livestock for consumption.

(2) "Aquatic life support use" means the use of surface water for the maintenance of the ecological integrity of streams, lakes and wetlands, including the sustained growth and propagation of native aquatic life, indigenous or migratory semi-aquatic life, or terrestrial wildlife directly or indirectly dependent on surface water for survival.

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

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

(C) "Restricted aquatic life use waters" means surface waters containing indigenous biota limited in abundance or diversity by the physical quality of the habitat compared to more suitable habitats in adjacent waters. Habitat availability and habitat diversity in restricted aquatic life use waters are severely limited due to natural deficiencies or artificial modifications.

(3) "Domestic water supply use" means the use of surface water, after appropriate treatment, for the production of potable water.

(4) "Food procurement use" means the use of surface water for the obtaining of edible forms of aquatic or semi-aquatic life for human consumption.

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

(6) "Industrial water supply use" means the use of surface water for non-potable purposes by industry, including withdrawals for cooling or process water.

(7) "Recreational use" means the use of surface water for contact or noncontact recreation.

(A) "Contact recreational use" means recreation where the body is immersed in surface water to the extent that some inadvertent ingestion of water is probable. This use includes, but is not limited to, swimming, skin diving, water skiing, and wind surfing.

(B) "Noncontact recreational use" means recreation where ingestion of surface water is not probable. This use includes, but is not limited to, wading, boating, fishing, trapping, mussel harvesting, and hunting.

(b) Surface water classification. Surface waters shall be classified as follows:

(1) Classified streams shall include all streams with mean summer base flows exceeding 0.003 cubic meters per second. Regardless of flow, a stream shall be classified if studies conducted or accepted by the department show that pooling of water during periods of zero flow provides important refuges for aquatic life and permits biological recolonization of intermittently flowing segments.

(2) Classified lakes shall be all lakes owned by federal, state, county or municipal authorities and all privately

owned lakes that serve as public drinking water supplies or that are open to the general public for contact or non-contact recreation.

(3) Classified wetlands shall be all wetlands owned by federal, state, county, or municipal authorities, exclusive of artificial wetlands created for the purpose of wastewater treatment, all privately owned wetlands open to the general public for hunting, trapping or other forms of noncontact recreation, and all wetlands designated as outstanding natural resource waters or special aquatic life use waters pursuant to K.A.R. 28-16-28d(c).

(c) Assignment of uses to surface waters.

(1) At a minimum, all classified surface waters shall be designated for the noncontact recreational use and one of the three categories of aquatic life support use described in K.A.R. 28-16-28d(a)(2). Classified surface waters shall be designated for uses based upon the results of use attainability analyses conducted or accepted by the department. The provisions of the federal water quality standards regulation, 40 CFR 131.10, as in effect on July 1, 1993, shall be followed and are hereby adopted by reference.

(2) A register of surface water use designations and outstanding natural resource waters shall be maintained by the department. This register shall identify the designated uses of all major classified streams and lakes and list those streams, lakes and wetlands designated by the department as outstanding natural resource waters, special aquatic life use waters, or restricted aquatic life use waters. In the application of the current regulations, surface water use designations and outstanding natural resource waters shall be those identified in the "Kansas Surface Water Register," as published by the department on June 20, 1994 and hereby adopted by reference.

(3) Beneficial use designations for classified streams, lakes and wetlands not listed in the surface water register shall be determined by the department on a case-by-case basis in accordance with the requirements of K.A.R. 28-16-28d(c)(1). (Authorized by K.S.A. 65-171d; implementing K.S.A. 65-165 and 65-171d; effective May 1, 1986; amended, T-87-8, May 1, 1986; amended, May 1, 1987; amended Aug. 29, 1994.)

28-16-28e. Surface water quality criteria. (a) Criteria development guidance. The development of surface water quality criteria for substances not listed in these standards shall be guided by water quality criteria published by the United States environmental protection agency. When the department finds that the criteria listed herein are underprotective or overprotective for a given surface water segment, the department may, in accordance with K.A.R. 28-16-28f(f), develop and apply appropriate site-specific criteria using bioassessment methods or other related scientific procedures, including those procedures described in the United States environmental protection agency's "Water Quality Standards Handbook," second edition, as published in September 1993.

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

(1) Surface waters shall be free, at all times, from the harmful effects of substances that originate from arti-

cial sources of pollution and that produce any public health hazard, nuisance condition, or impairment of designated use.

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

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

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

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

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

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

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

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

(1) Agricultural water supply use. The water quality criteria for irrigation and livestock watering set forth in Table 1a of K.A.R. 28-16-28e(d) shall not be exceeded outside of mixing zones due to artificial sources of pollution.

(2) Aquatic life support use.

(A) Dissolved oxygen. The concentration of dissolved oxygen in surface waters shall not be lowered below 5.0 mg/L by the influence of artificial sources of pollution.

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

(C) pH. Artificial sources of pollution shall not cause the pH of any surface water outside of a zone of initial dilution to be below 6.5 nor above 8.5.

(D) Suspended solids. Suspended solids added to surface waters by artificial sources shall not interfere with

the behavior, reproduction, physical habitat, or other factors related to the survival and propagation of aquatic or semi-aquatic life or terrestrial wildlife. In the application of this provision, suspended solids associated with discharges of presedimentation sludge from water treatment facilities shall be deemed noninjurious to aquatic and semi-aquatic life and terrestrial wildlife, provided that such discharges comply fully with the requirements of K.A.R. 28-16-28e(b) (6) and (8) and K.A.R. 26-16-28e(c) (2) (F).

(E) Temperature.

(i) Except as provided in K.A.R. 28-16-28e(c) (2) (E) (ii), a discharge shall not elevate the temperature of a receiving surface water beyond the zone of initial dilution above 32° C. Heat of artificial origin shall not be added to a surface water in excess of the amount that will raise the temperature of the water beyond the mixing zone more than 3° C above natural conditions. The normal daily and seasonal temperature variations occurring within a surface water before the addition of heat of artificial origin shall be maintained.

(ii) Temperature criteria applicable to industrial cooling water recycling reservoirs that meet the requirements for classification presented in K.A.R. 28-16-28d(b) (2) shall be established by the department on a case-by-case basis.

(F) Toxic substances.

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

(ii) Acute criteria for the aquatic life support use given in tables 1a, 1b and 1c of K.A.R. 28-16-28e(d) shall apply beyond the edge of the zone of initial dilution. Chronic criteria for the aquatic life support use given in tables 1a, 1b and 1c of K.A.R. 28-16-28e(d) shall apply beyond the edge of the mixing zone.

(iii) When a discharge contains a toxic substance that lacks any published criteria for the aquatic life support use, or when a discharge contains a complex mixture of toxic substances capable of additive or synergistic interactions, bioassessment methods and procedures shall be used by the department to establish whole-effluent toxicity limitations which are consistent with paragraph (2) (f) (i) of this subsection.

(3) Domestic water supply use.

(A) Except as provided in K.A.R. 28-16-28e(c) (3) (B), criteria listed in Table 1a of K.A.R. 28-16-28e(d) for domestic water supply use shall not be exceeded at any point of domestic water supply diversion.

(B) Where surface water concentrations of chloride or sulfate, or both, exceed the criteria listed in Table 1a of K.A.R. 28-16-28e(d) due to the naturally occurring intrusion of highly mineralized groundwater, domestic water supply criteria for these ions shall be determined by the department on a case-by-case basis. Criteria developed by the department pursuant to this provision shall be intended to prevent any further degradation in surface water quality.

(C) Any substance derived from an artificial source that, alone or in combination with other synthetic or nat-

(continued)

urally occurring substances, causes toxic, carcinogenic, teratogenic or mutagenic effects in humans shall be limited to non-harmful concentrations in surface waters. Unless site-specific water quality conditions warrant the promulgation of more protective criteria under the provisions of K.A.R. 28-16-28e(a) and K.A.R. 28-16-28f(f), maximum contaminant levels for toxic, carcinogenic, teratogenic or mutagenic substances promulgated by the United States environmental protection agency pursuant to section 300g-1 of the federal safe drinking water act, 42 U.S.C. 300f to 300j-9, as amended on June 19, 1986, shall be deemed non-harmful by the department and adopted as domestic water supply criteria.

(4) Food procurement use.

(A) Criteria listed in Table 1a of K.A.R. 28-16-28e(d) for food procurement use shall not be exceeded outside of a mixing zone due to any artificial source of pollution.

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

(5) Groundwater recharge use. In surface waters designated for the groundwater recharge use, water quality shall be such that, at a minimum, degradation of groundwater quality does not occur. Degradation shall include any measurable increase in the concentration of

any chemical or radiological contaminant or infectious microorganism in groundwater resulting from surface water infiltration or injection.

(6) Industrial water supply use. Surface water quality criteria for industrial water supplies shall be determined by the department on a case-by-case basis.

(7) Recreational use.

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

(B) Contact recreation. Artificial sources of pollution shall not cause concentrations of fecal coliform bacteria in surface waters designated for contact recreational use to exceed a geometric mean of 200 organisms per 100 milliliters outside of mixing zones. Calculation of the geometric mean shall be based on the analysis of at least five consecutive samples collected during separate 24-hour periods. No more than 10 percent of samples taken during any 30-day period shall exceed 400 organisms per 100 milliliter sample. These criteria shall be in effect from April 1 through October 31 of each year.

(C) Noncontact recreation. Artificial sources of pollution shall not cause concentrations of fecal coliform bacteria in surface waters designated for noncontact recreational use to exceed 2,000 organisms per 100 milliliters outside of mixing zones. This criterion shall be in effect from January 1 through December 31 of each year.

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

(d) Tables.

Table 1a. Numeric criteria.

PARAMETER	USE CATEGORY					
	AQUATIC LIFE		AGRICULTURE		PUBLIC HEALTH	
	ACUTE	CHRONIC	LIVESTOCK	IRRIGATION	FOOD PROCUREMENT	DOMESTIC WATER SUPPLY
RADIONUCLIDES (pCi/L)						
gross beta radioactivity	a	a	a	a	a	50
gross alpha particles including radium-226, but not radon or uranium	a	a	a	a	a	15
radium 226 and 228 combined	a	a	a	a	a	5
strontium 90	a	a	a	a	a	8
tritium	a	a	a	a	a	20,000
METALS (µg/L)						
antimony, total	88	30	a	a	4,500	6
arsenic, total	a	50	200	100	a	50
arsenic (III)	379	50	a	a	a	a
arsenic (V)	850	48	a	a	a	a
barium	a	a	a	a	a	2,000
beryllium, total	130	5.3	a	100	0.13	4
boron, total	a	a	5,000	750	a	a
cadmium, total	table 1b	table 1b	20	10	170	5
chromium, total	a	40	1,000	100	a	100
chromium (III)	table 1b	table 1b	a	a	3,433,000	50
chromium (VI)	17	12	a	a	3,400	50
copper, total	table 1b	table 1b	500	200	a	1,300
lead, total	table 1b	table 1b	100	5,000	a	15
mercury, total	2.8	0.012	10	a	0.146	2
nickel, total	table 1b	table 1b	500	200	100	100

PARAMETER	USE CATEGORY					
	AQUATIC LIFE		AGRICULTURE		PUBLIC HEALTH	
	ACUTE	CHRONIC	LIVESTOCK	IRRIGATION	FOOD PROCUREMENT	DOMESTIC WATER SUPPLY
RADIONUCLIDES (pCi/L)						
selenium, total	20	5	50	20	6,800	50
selenium (V)	11.2	a	a	a	a	a
silver, total	table 1b	a	a	a	a	50
thallium, total	1,400	40	a	a	48	2
zinc, total	table 1b	table 1b	25,000	2,000	a	a
OTHER INORGANIC SUBSTANCES (µg/L)						
ammonia	table 1c	table 1c	a	a	a	a
asbestos (µfibers/L)	a	a	a	a	a	7,000,000
chloride	860,000	230,000	a	a	a	250,000
chlorine, total residual	19	11	a	a	a	a
cyanide (free)	22	5.2	a	a	220,000	200
fluoride	a	a	2,000	1,000	a	2,000
nitrate (as N)	a	a	a	a	a	10,000
nitrite + nitrate (as N)	a	a	100,000	a	a	10,000
phosphorus, elemental (white)	a	0.1	a	a	a	a
sulfate	a	a	1,000,000	a	a	250,000
ORGANIC SUBSTANCES (µg/L)						
Benzenes						
aminobenzene (aniline)	14	6.7	a	a	a	a
benzene	5,300	a	a	a	40	5
chlorobenzene	250	50	a	a	21,000	100
dichlorobenzenes, total	1,120	763	a	a	2,600	a
o-dichlorobenzene	1,120	763	a	a	2,600	600
m-dichlorobenzene	1,120	763	a	a	2,600	600
p-dichlorobenzene	a	a	a	a	2,600	75
other chlorinated benzenes, total	250	50	a	a	a	a
1,2,4-trichlorobenzene	250	a	a	a	a	70
1,2,4,5-tetrachlorobenzene	250	50	a	a	48	a
pentachlorobenzene	250	50	a	a	85	a
hexachlorobenzene	6.0	3.7	a	a	0.00074	1
ethylbenzene	32,000	a	a	a	28,718	700
nitrobenzene	27,000	a	a	a	1,900	a
pentachloronitrobenzene	250	50	a	a	a	a
vinylbenzene (styrene)	a	a	a	a	a	100
Ethers						
chloroalkyl ethers, total	238,000	a	a	a	a	a
bis(2-chloroethyl)ether	238,000	a	a	a	1.36	a
bis(2-chloroisopropyl)ether	238,000	a	a	a	0.00184	a
bis(chloromethyl)ether	238,000	a	a	a	0.00184	a
2-chloroethyl vinyl ether	360	120	a	a	a	a
halogenated ethers, total	360	122	a	a	a	a
chloromethyl methyl ether	238,000	a	a	a	0.00184	a
4,4'-dibromodiphenyl ether	360	120	a	a	a	a
hexabromodiphenyl ether	360	120	a	a	a	a
nonabromodiphenyl ether	360	120	a	a	a	a
pentabromodiphenyl ether	360	120	a	a	a	a
tetrabromodiphenyl ether	360	120	a	a	a	a
tribromodiphenyl ether	360	120	a	a	a	a
Halogenated Hydrocarbons						
chlorinated ethanes						
1,2-dichloroethane	18,000	2,000	a	a	243	5
1,1,1-trichloroethane	18,000	a	a	a	173,077	200
1,1,2-trichloroethane	18,000	9,400	a	a	41.8	5
tetrachloroethanes, total	9,320	a	a	a	a	a
1,1,1,2-tetrachloroethane	9,320	a	a	a	a	a
1,1,2,2-tetrachloroethane	9,320	2,400	a	a	10.7	a
pentachloroethane	7,240	1,100	a	a	a	a
hexachloroethane	980	540	a	a	8.74	a
chlorinated ethylenes, total	11,600	a	a	a	1.85	a
1,1-dichloroethylene	11,600	a	a	a	1.85	7
cis-1,2-dichloroethylene	11,600	a	a	a	1.85	70
trans-1,2-dichloroethylene	11,600	a	a	a	140,000	100
trichloroethylene	45,000	21,900	a	a	80.7	5
tetrachloroethylene	5,280	840	a	a	8.85	5
chlorinated propanes/propenes						
1,2-dichloropropane	23,000	5,700	9.0	a	39	5
1,3-dichloropropene	6,600	244	a	a	14.1	a

(continued)

PARAMETER	USE CATEGORY					
	AQUATIC LIFE		AGRICULTURE		PUBLIC HEALTH	
	ACUTE	CHRONIC	LIVESTOCK	IRRIGATION	FOOD PROCUREMENT	DOMESTIC WATER SUPPLY
RADIONUCLIDES (pCi/L)						
Other Halogenated Hydrocarbons						
halogenated methanes, total	11,000	a	a	a	15.7	100
bromomethane	11,000	a	a	a	15.7	a
1,2-dibromoethane	a	a	a	a	a	0.05
tribromoethane (bromoform)	11,000	a	a	a	15.7	100
bis(2-chloroethoxy) methane	11,000	a	a	a	15.7	a
bromodichloromethane	11,000	a	a	a	15.7	100
bromochloromethane	11,000	a	a	a	15.7	a
bromotrichloromethane	11,000	a	a	a	15.7	a
dibromochloromethane	11,000	a	a	a	15.7	a
dibromochloropropane	a	a	a	a	15.7	100
dibromodichloromethane	11,000	a	a	a	15.7	0.2
dichlorodifluoromethane	11,000	a	a	a	15.7	a
dichloromethane	11,000	a	a	a	15.7	a
trichloromethane (chloroform)	28,900	1,240	a	a	1,600	5
tribromochloromethane	11,000	a	a	a	15.7	100
trichlorofluoromethane	11,000	a	a	a	15.7	a
tetrachloromethane (carbon tetrachloride)	35,200	a	a	a	6.94	5
di(2-ethylhexyl)adipate	a	a	a	a	a	500
hexachlorobutadiene	90	9.3	a	a	50	a
hexachlorocyclopentadiene	7	5.2	a	a	206	50
vinyl chloride	a	a	a	a	525	2
Miscellaneous Organics						
dioxin (2,3,7,8 TCDD)	0.01	0.00001	a	a	0.000000014	0.00000003
isosphorone	117,000	a	a	a	520,000	a
polychlorinated biphenyls, total	2	0.014	a	a	0.0000079	0.5
tributyltin oxide	0.149	0.026	a	a	a	a
Nitrogen Compounds						
nitrosamines, total	5,850	a	a	a	1.24	a
N-nitrosodibutylamine	5,850	a	a	a	0.587	a
N-nitrosodiethanolamine	5,850	a	a	a	1.24	a
N-nitrosodiethylamine	5,850	a	a	a	1.24	a
N-nitrosodimethylamine	5,850	a	a	a	1.6	a
N-nitrosodiphenylamine	5,850	a	a	a	16.1	a
N-nitrosodi-n-propylamine	a	a	a	a	1.24	a
N-nitrosopyrrolidine	5,850	a	a	a	91.9	a
acrylonitrile	7,550	2,600	a	a	0.65	a
benzidine	2,500	a	a	a	0.000535	a
3,3'-dichlorobenzidine	a	a	a	a	0.02	a
1,2-diphenyl hydrazine	270	a	a	a	0.56	a
Polynuclear Aromatic Hydrocarbons, total						
acenaphthene	1,700	520	a	a	0.0311	0.2
acenaphthylene	a	a	a	a	a	a
anthracene	a	a	a	a	0.0311	a
benzo(a)anthracene	a	a	a	a	0.0311	a
benzo(a)pyrene	a	a	a	a	0.0311	0.2
benzo(b)fluoranthene	a	a	a	a	0.0311	0.2
benzo(g,h,i)perylene	a	a	a	a	0.0311	0.2
benzo(k)fluoranthene	a	a	a	a	0.0311	a
chrysene	a	a	a	a	0.0311	0.2
dibenzo(a,h)anthracene	a	a	a	a	0.0311	0.2
fluoranthene	3,980	a	a	a	0.0311	0.3
fluorene	a	a	a	a	a	a
ideno(1,2,3-cd)pyrene	a	a	a	a	0.0311	a
naphthalene	2,300	620	a	a	0.0311	0.4
phenanthrene	30	6.3	a	a	a	a
pyrene	a	a	a	a	0.311	a
Phthalate Esters						
phthalates, total	940	3	a	a	a	a
butylbenzyl phthalate	a	a	a	a	5,200	100
di(2-ethylhexyl)phthalate	400	360	a	a	5,000	4
dibutyl phthalate	940	3	a	a	154,000	a
diethyl phthalate	a	a	a	a	1,800,000	5
dimethyl phthalate	940	3	a	a	2,900,000	a
Phenolic Compounds						
phenol	10,200	2,560	a	a	4,600,000	a
2,4-dimethyl phenol	1,300	530	a	a	2,300	a
chlorinated phenols						
2-chlorophenol	4,380	2,000	a	a	400	a
3-chlorophenol	a	a	a	a	29,000	a

PARAMETER	USE CATEGORY					
	AQUATIC LIFE		AGRICULTURE		PUBLIC HEALTH	
	ACUTE	CHRONIC	LIVESTOCK	IRRIGATION	FOOD PROCUREMENT	DOMESTIC WATER SUPPLY
RADIONUCLIDES (pCi/L)						
2,4-dichlorophenol	2,020	365	a	a	3,090	a
2,4,5-trichlorophenol	100	63	a	a	a	a
2,4,6-trichlorophenol	a	970	a	a	3.6	a
pentachlorophenol	table 1b	table 1b	a	a	8.2	1
3-methyl-4-chlorophenol	30	a	a	a	a	a
nitrophenols, total	230	150	a	a	a	a
2,4-dinitrophenol	a	a	a	a	765	a
4,6-dinitro-o-cresol	a	a	a	a	765	a
Toluenes						
toluene	17,500	a	a	a	424,000	1,000
dinitrotoluenes, total	330	230	a	a	9.1	a
2,4-dinitrotoluene	330	230	a	a	9.1	a
xylene	a	a	a	a	a	10,000
PESTICIDES (µg/L)						
acrolein	68	21	a	a	780	a
acrylamide	a	a	a	a	a	0.01
alachlor (lasso)	760	76	100	a	a	2
aldicarb	a	a	a	a	a	3
aldicarb sulfone	a	a	a	a	a	2
aldicarb sulfoxide	a	a	a	a	a	3
aldrin	3	0.001	1	a	0.000079	a
atrazine (aatrex)	170	1	a	a	a	3
bromoxynil (MCPA)	a	a	20	a	a	a
carbaryl (sevin)	a	0.02	100	a	a	a
carbofuran (furadan)	a	a	100	a	a	40
chlordan	2.4	0.0043	3	a	0.00048	2
chlorpyrifos	0.083	0.041	100	a	a	a
2,4-D	a	a	a	a	a	70
dacthal (DCPA)	a	14,300	a	a	a	a
dalapon	a	110	a	a	a	200
diazinon (spectracide)	a	0.08	100	a	a	a
DDT and Metabolites						
4,4'-DDE (p,p'-DDE)	1,050	a	a	a	0.00059	a
4,4'-DDD (p,p'-DDD)	a	a	a	a	0.00084	a
DDT, total	1.1	0.001	50	a	0.000024	a
dieldrin	1.0	0.0019	1	a	0.000076	a
dinoseb (DNBP)	a	a	a	a	a	7
diquat	a	a	a	a	a	20
disulfoton (disyston)	a	a	100	a	a	a
endosulfan, total	0.22	0.056	a	a	159	a
alpha-endosulfan	0.22	0.056	a	a	159	a
beta-endosulfan	0.22	0.056	a	a	159	a
endosulfan sulfate	a	a	a	a	159	a
endothall	a	a	a	a	a	100
endrin	0.18	0.0023	0.5	a	0.81	2
endrin aldehyde	a	a	a	a	0.81	a
epichlorohydrin	a	a	a	a	a	4
ethylene dibromide	a	a	a	a	a	0.05
fenchlorfos (ronnel)	a	a	100	a	a	a
glyphosate (roundup)	a	a	a	a	a	700
guthion	a	0.010	100	a	a	a
heptachlor	0.52	0.0038	0.1	a	0.00029	0.4
heptachlor epoxide	0.52	0.0038	0.1	a	0.00029	0.2
hexachlorocyclohexane						
alpha-HCH	100	a	a	a	a	a
beta-HCH	100	a	a	a	0.0031	a
delta-HCH	100	a	a	a	0.0547	a
gamma-HCH (lindane)	2	0.08	5	a	a	a
technical-HCH	a	a	a	a	0.0625	0.2
malathion	a	0.10	100	a	0.0414	a
methoxychlor	a	0.03	1,000	a	a	a
methyl parathion	a	a	100	a	a	40
metribuzin (sencor)	a	100	a	a	a	a
mirex	a	0.001	a	a	0.000097	a
oxamyl (vydate)	a	a	a	a	a	200
parathion	0.065	0.013	100	a	a	a
picloram (tordon)	a	a	a	a	a	500
propachlor (ramrod)	a	8	a	a	a	a
simazine (princep)	a	a	10	a	a	4

(continued)

PARAMETER	USE CATEGORY					
	AQUATIC LIFE		AGRICULTURE		PUBLIC HEALTH	
	ACUTE	CHRONIC	LIVESTOCK	IRRIGATION	FOOD PROCUREMENT	DOMESTIC WATER SUPPLY
RADIONUCLIDES (pCi/L)						
toxaphene	0.73	0.0002	5	a	0.00073	3
2,4,5-T	a	a	2	a	a	a
2,4,5-TP (silvex)	a	a	a	a	a	50

a—criterion not available

Table 1b. Formulae for calculation of hardness-dependent aquatic life support criteria for chromium III and total cadmium, total copper, total lead, total nickel, total silver and total zinc and pH-dependent aquatic life support criteria for pentachlorophenol. A WER value of 1.0 is applied in the hardness-dependent equations for total metals unless a site-specific WER has been determined and adopted by the department in accordance with K.A.R. 28-16-28e(a) and K.A.R. 28-16-28f(f). Hardness values in metal formulae are entered in units of mg/L as CaCo₃. Pentachlorophenol formulae apply only over the pH range 6.5-8.5.

- CADMIUM (ug/L):**
 acute criterion = WER $[[EXP[(1.1280*(LN(hardness)))-3.828]]*1.2]$
 chronic criterion = WER $[[EXP[(0.7852*(LN(hardness)))-3.490]]*1.2]$
- CHROMIUM III (ug/L):**
 acute criterion = WER $[[EXP[(0.819*(LN(hardness)))+3.6880]]*1.2]$
 chronic criterion = WER $[[EXP[(0.819*(LN(hardness)))+1.5610]]*1.2]$
- COPPER (ug/L):**
 acute criterion = WER $[[EXP[(0.9422*(LN(hardness)))-1.464]]*1.2]$
 chronic criterion = WER $[[EXP[(0.8545*(LN(hardness)))-1.465]]*1.2]$
- LEAD (ug/L):**
 acute criterion = WER $[[EXP[(1.273*(LN(hardness)))-1.460]]*2.0]$
 chronic criterion = WER $[[EXP[(1.273*(LN(hardness)))-4.705]]*4.0]$
- NICKEL (ug/L):**
 acute criterion = WER $[[EXP[(0.846*(LN(hardness)))+3.3612]]*1.2]$
 chronic criterion = WER $[[EXP[(0.846*(LN(hardness)))+1.1645]]*1.2]$
- PENTACHLOROPHENOL (ug/L):**
 acute criterion = $EXP[(1.005*pH)-4.830]$
 chronic criterion = $EXP[(1.005*pH)-5.290]$
- SILVER (ug/L):**
 acute criterion = WER $[[EXP[(1.72*(LN(hardness)))-6.52]]*1.2]$
- ZINC (ug/L):**
 acute criterion = WER $[[EXP[(0.8473*(LN(hardness)))+0.8604]]*1.2]$
 chronic criterion = WER $[[EXP[(0.8473*(LN(hardness)))+0.7614]]*1.2]$

Table 1c. Temperature- and pH-dependent aquatic life support criteria for total ammonia. For other temperature and pH combinations within the temperature and pH ranges shown, acute and chronic criteria for total ammonia are derivable through linear interpolation of the bracketing table values.

CRITERION ACUTE CONCENTRATIONS
(TOTAL AMMONIA AS N, MG/L)

pH	TEMPERATURE (DEGREES CELSIUS)						
	0.0	5.0	10.0	15.0	20.0	25.0	30.0
6.50	41.75	39.14	37.06	36.03	34.41	34.04	24.06
6.75	38.45	35.84	34.37	32.75	31.74	31.57	22.33
7.00	33.39	31.69	29.66	28.98	28.18	27.76	19.65
7.25	27.77	25.95	24.69	23.51	23.08	22.74	16.13
7.50	20.69	19.49	18.63	17.88	17.49	17.63	12.57
7.75	14.51	13.74	13.07	12.57	12.07	12.37	8.85
8.00	9.51	8.93	8.52	8.28	8.16	8.24	5.95
8.25	5.38	5.07	4.86	4.75	4.72	4.83	3.54
8.50	3.06	2.90	2.80	2.77	2.79	2.91	2.18
8.75	1.75	1.68	1.64	1.65	1.71	1.83	1.42
9.00	1.02	0.99	0.99	1.03	1.10	1.22	0.99

CRITERION CHRONIC CONCENTRATIONS
(TOTAL AMMONIA AS N, MG/L)

pH	TEMPERATURE (DEGREES CELSIUS)						
	0.0	5.0	10.0	15.0	20.0	25.0	30.0
6.50	2.20	2.06	1.95	1.90	1.81	1.79	1.27
6.75	2.58	2.41	2.31	2.20	2.13	2.12	1.50
7.00	3.12	2.96	2.77	2.71	2.63	2.59	1.84
7.25	4.27	3.99	3.80	3.62	3.55	3.50	2.48
7.50	3.18	3.00	2.87	2.75	2.69	2.71	1.93
7.75	2.23	2.11	2.01	1.93	1.86	1.90	1.36
8.00	1.46	1.37	1.31	1.27	1.26	1.27	0.92
8.25	0.83	0.78	0.75	0.73	0.73	0.74	0.54
8.50	0.47	0.45	0.43	0.43	0.43	0.45	0.34
8.75	0.27	0.26	0.25	0.25	0.26	0.28	0.22
9.00	0.16	0.15	0.15	0.16	0.17	0.19	0.15

(Authorized by K.S.A. 65-171d; implementing K.S.A. 65-165 and 65-171d; effective May 1, 1986; amended, T-87-8, May 1, 1986; amended May 1, 1987; amended Aug. 29, 1994.)

28-16-28f. Administration of surface water quality standards. (a) Review and revision. At least once every three years, a public hearing shall be held for the purpose of reviewing and, as appropriate, modifying the surface water quality standards and the surface water register.

(b) Application of modified surface water quality standards. A modification to the surface water quality standards, the surface water register, or both, shall have no effect on the requirements of any unexpired discharge permit issued under K.S.A. 65-165, unless the discharge fails to meet the requirements of the permit or the department has reason to believe that continuation of the discharge will result in public health hazards or in irreversible water use impairments.

(c) Water quality certification. No action identified below shall be taken unless the department has issued a water quality certification for the action:

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

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

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

(4) any solid waste processing or disposal system subject to the permitting provisions of K.S.A. 65-3041 *et seq.*;

(5) any hazardous waste treatment, storage or disposal facility subject to the permitting provisions of K.S.A. 65-3430 *et seq.*; and

(6) any action undertaken by any Kansas state agency which, in the opinion of the department, has a potential water quality impact.

(d) Compliance schedules.

(1) Except as provided in K.A.R. 28-16-28f(d)(2), compliance schedules contained in any discharge permit or license issued by the department pursuant to the federal clean water act or K.S.A. 65-165 shall not extend more than three years beyond the date of permit issuance.

(2) Compliance schedules of up to five years total duration may be granted if it is demonstrated, to the department's satisfaction, that the strict application of K.A.R. 28-16-28f(d)(1) is not feasible due to construction scheduling constraints or other technical limitations.

(e) Variances. If, upon written application by any person, the department finds that by reason of substantial and widespread socioeconomic impact the strict enforcement of the water quality criteria of K.A.R. 28-16-28e(c) is not feasible, the department may permit a variance.

(1) The provisions of 40 CFR 131.10(g), as in effect on July 1, 1993 and hereby adopted by reference, shall be considered by the department in reviewing the need for a variance.

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

(3) A variance shall be granted only after public notification and opportunity for public comment.

(4) No action that impacts upon water quality shall be granted a variance from the terms and conditions of K.A.R. 28-16-28e(b).

(f) Site-specific criteria. Whenever the department proposes to use any site-specific criterion, a public notice stating the intention to use a site-specific criterion shall be issued by the department. The public notice shall include a description of the affected surface water or surface water segment and the reasons for applying the proposed criterion. If the department determines there is significant public interest, a public hearing shall be held in the geographical vicinity of the affected surface water or surface water segment. A public notice of the final site-specific criterion shall be published in the Kansas register.

(g) Enforcement. Upon finding a violation of the surface water quality standards, an investigation to determine the cause of the violation shall be conducted by the department. If the department finds the violation to be caused by an artificial source of pollution, the person

(continued)

or persons responsible for the source of pollution shall be required by the department to initiate corrective actions that fully restore the designated uses of the affected surface water or surface water segment and provide for the return of the original surface water quality conditions. Nothing in this regulation shall abridge the right of the department to proceed with enforcement actions as provided in other Kansas statutes, or regulations, or both. (Authorized by K.S.A. 65-171d; implementing K.S.A. 65-165 and K.S.A. 65-171d; effective May 1, 1986; amended Aug. 29, 1994.)

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 015098

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 2.—FEES, REGISTRATIONS AND OTHER CHARGES

115-2-1. Amount of fees. On and after the effective date of this regulation, the following fees shall be in effect:

(a) Hunting licenses and permits.	
Resident hunting license	13.00
Nonresident hunting license	60.00
Nonresident junior hunting license (under 16 years of age)	30.00
Resident big game hunting permit:	
General resident; elk permit	100.00
Landowner/tenant; elk permit	50.00
General resident; deer permit	30.00
Landowner/tenant; deer permit	15.00
Hunt-on-your-land; deer permit	10.00
Special hunt-on-your-own-land; deer permit	10.00
Special hunt-on-your-own-land; deer permit transfer fee	10.00
General resident; antelope permit	40.00
Landowner/tenant; antelope permit	20.00
Hunt-on-your-land; antelope permit	10.00
General resident; turkey permit (1-bird limit)	20.00
General resident; turkey permit (2-bird limit)	25.00
Landowner/tenant; turkey permit (1-bird limit)	10.00
Landowner/tenant; turkey permit (2-bird limit)	15.00
Hunt-on-your-land; turkey permit (1-bird limit)	10.00
Hunt-on-your-land; turkey permit (2-bird limit)	15.00
Game tag:	
Second and subsequent deer tag	10.00
Second and subsequent turkey tag	10.00
Nonresident big game hunting permit:	
Nonresident landowner; antelope permit	60.00
Nonresident landowner; elk permit	250.00
Nonresident; turkey permit (1-bird limit)	30.00
Nonresident; turkey permit (2-bird limit)	35.00
Nonresident landowner; deer permit	50.00
Nonresident; deer permit (buck only or any deer)	200.00
Nonresident; deer permit (antlerless only)	50.00
Nonresident; deer permit (application fee)	5.00
48-hour waterfowl hunting permit	20.00
Field trial permit; game birds	20.00
Lifetime hunting license	240.00
or eight quarterly installment payments of	35.00
Migratory waterfowl habitat stamp	3.00

Special dark goose hunting permit	5.00
Sandhill crane hunting permit—validation fee	5.00
Disabled person hunt from a vehicle permit	3.00

(b) Fishing licenses and permits.

Resident fishing license	13.00
Nonresident fishing license	30.00
24-hour fishing license	3.00
Lifetime fishing license	240.00
or eight quarterly installment payments of	35.00
Five-day nonresident fishing license	13.00
Institutional group fishing license	100.00
Trout permit	7.50

(c) Combination hunting and fishing licenses and permits.

Resident combination hunting and fishing license	26.00
Resident lifetime combination hunting and fishing license	440.00
or eight quarterly installment payments of	60.00
Nonresident combination hunting and fishing license	90.00

(d) Furharvester licenses.

Resident furharvester license	15.00
Resident junior furharvester license	7.50
Nonresident furharvester license	250.00
Resident fur dealer license	100.00
Nonresident fur dealer license	200.00
Field trial permit; furbearing animals	20.00

(e) Commercial licenses and permits.

Controlled shooting area hunting license	13.00
Resident mussel fishing license	75.00
Nonresident mussel fishing license	400.00
Mussel dealer permit	200.00
Missouri river fishing permit	25.00
Game breeder permit	10.00
Controlled shooting area operator license	200.00
Commercial dog training permit	20.00
Commercial guide permit	50.00
Associate guide permit	25.00
Commercial fish bait permit	20.00
Commercial prairie rattlesnake harvest permit (without a valid Kansas hunting license)	20.00
Commercial prairie rattlesnake harvest permit (with a valid Kansas hunting license or exempt from such license requirement)	5.00
Commercial prairie rattlesnake dealer permit	75.00
Prairie rattlesnake round-up event permit	25.00

(f) Collection, scientific, importation, rehabilitation, and damage control permits.

Scientific, educational or exhibition permit	10.00
Raptor propagation permit	0
Rehabilitation permit	0
Wildlife damage control permit	0
Wildlife importation permit	10.00
Threatened or endangered species—special permits	0

(g) Falconry.

Apprentice permit	100.00
General permit	200.00
Master permit	300.00
Testing fee	50.00

(h) Miscellaneous fees.

Duplicate license, permit, stamp and other issues of the department	5.00
Special departmental services, materials or supplies	At cost
Vendor bond	
For bond amounts of \$5,000 & less	50.00
For bond amounts of \$5,000 & more	50.00
plus \$6.00 per additional \$1,000.00 coverage or any fraction thereof.	

(i) An unlimited number of special hunt-on-your-own land firearm deer permits shall be authorized for all units except units 17 and 18. The bag limit for such permits shall be one deer and all such permits shall be for any deer. Such permits shall be valid during the firearms, muzzleloader and archery seasons using equipment legal during the established season. (Authorized by K.S.A. 32-807, K.S.A. 32-937 as amended by 1994 HB 2704, section 1 and K.S.A. 32-988 as amended by 1994 HB 2704, section 2; implementing K.S.A. 32-807, K.S.A.

32-937 as amended by 1994 HB 2704, section 1, K.S.A. 32-988, as amended by 1994 HB 2704, section 2 and K.S.A. 32-1002; effective Dec. 4, 1989; amended Sept. 10, 1990; amended Jan. 1, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended April 11, 1994; amended Aug. 29, 1994.)

Ted Ensley
Secretary of Wildlife
and Parks

Doc. No. 015100

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

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
4-4-900	Amended	V. 13, p. 1017
4-4-982	New	V. 13, p. 1018
4-4-983	New	V. 13, p. 1018
4-4-984	New	V. 13, p. 1018
4-7-716	Amended	V. 13, p. 1018
4-7-719	Amended	V. 13, p. 1018
4-8-14a	Amended	V. 12, p. 1212
4-8-28	Amended	V. 12, p. 1212
4-8-32	Amended	V. 12, p. 1213
4-13-60	Amended	V. 13, p. 1018
4-13-61	Amended	V. 13, p. 1018
4-13-64	Amended	V. 13, p. 1019
4-13-65	Amended	V. 13, p. 1019

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
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

(continued)

25-1-17 Revoked V. 12, p. 1461, 1571
AGENCY 26: DEPARTMENT ON AGING
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. 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. 1016
 28-29-99 Revoked V. 13, p. 1017
 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
 28-39-81b Revoked V. 13, p. 37
 28-39-82 through
 28-39-103 Revoked V. 12, p. 1400
 28-39-103a Revoked V. 12, p. 1400
 28-39-104 through
 28-39-113 Revoked V. 12, p. 1400
 28-39-144 through
 28-39-162 New V. 12, p. 1400-1416
 28-39-162a New V. 12, p. 1417
 28-39-162b New V. 12, p. 1422
 28-39-162c New V. 12, p. 1424
 28-39-163 New V. 12, p. 1428
 28-39-164 through
 28-39-174 New V. 13, p. 37-42
 28-39-227 through
 28-39-239 New V. 13, p. 399-403

28-44-28 New V. 12, p. 1541
 28-44-29 New V. 12, p. 1541
 28-46-1 Amended V. 13, p. 152
 28-46-2 Amended V. 13, p. 152
 28-46-3 Amended V. 13, p. 152
 28-46-5 through
 28-46-22 Amended V. 13, p. 152, 153
 28-46-24 Amended V. 13, p. 154
 28-46-26 through
 28-46-34 Amended V. 13, p. 154, 155
 28-46-36 Amended V. 13, p. 155
 28-46-37 Revoked V. 13, p. 354
 28-46-38 Amended V. 13, p. 354
 28-46-39 Revoked V. 13, p. 156
 28-46-41 Amended V. 13, p. 156
 28-46-42 Amended V. 13, p. 156
 28-46-43 New V. 13, p. 156
 28-46-44 New V. 13, p. 156
 28-51-100 through
 28-51-104 Amended V. 13, p. 43-45
 28-51-108 Amended V. 13, p. 45
 28-51-110 Amended V. 13, p. 45
 28-51-111 Amended V. 13, p. 46
 28-51-112 Amended V. 13, p. 46
 28-65-1 Amended V. 12, p. 1541
 28-65-2 Amended V. 12, p. 1542
 28-65-3 Amended V. 12, p. 1542
 28-65-4 New V. 12, p. 1542
 28-66-1 through
 28-66-4 New V. 13, p. 46-48

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No. Action Register
 30-2-16 Amended V. 12, p. 1213
 30-4-52 Amended V. 12, p. 1213
 30-4-63 Amended V. 12, p. 1213
 30-4-64 Amended V. 12, p. 1215
 30-4-73 Amended V. 12, p. 386
 30-4-85a Amended V. 12, p. 1461, 1486
 30-4-90 Amended V. 13, p. 721
 30-4-111 Amended V. 12, p. 1737, 1781
 30-4-112 Amended V. 12, p. 1216
 30-4-122a Amended V. 12, p. 1461, 1486
 30-4-130 Amended V. 12, p. 1217
 30-5-58 Amended V. 13, p. 723
 30-5-59 Amended V. 12, p. 392
 30-5-60 Amended V. 12, p. 393
 30-5-64 Amended V. 13, p. 730
 30-5-65 Amended V. 13, p. 730
 30-5-70 Amended V. 12, p. 394
 30-5-71 Amended V. 12, p. 1224
 30-5-73 Amended V. 12, p. 1224
 30-5-81b Amended V. 12, p. 1225
 30-5-82a Amended V. 13, p. 730
 30-5-100 Amended V. 12, p. 1225
 30-5-105 Amended V. 12, p. 1226
 30-5-109a Amended V. 12, p. 1226
 30-5-116 Amended V. 13, p. 730
 30-5-116a Amended V. 12, p. 1226
 30-5-151 Amended V. 13, p. 731
 30-6-56 Amended V. 12, p. 266, 579
 30-6-103 Amended V. 13, p. 734
 30-6-106 Amended V. 12, p. 1739
 30-6-109 Amended V. 12, p. 1740, 1784
 30-6-111 Amended V. 13, p. 735
 30-6-112 Amended V. 13, p. 737
 30-6-112 Amended V. 12, p. 1230
 30-6-113 Amended V. 12, p. 1744, 1788
 30-6-150 Amended V. 12, p. 1745, 1789
 30-7-100 Amended V. 12, p. 398
 30-10-1a Amended V. 13, p. 738
 30-10-1b Amended V. 13, p. 740
 30-10-1c Amended V. 12, p. 1748
 30-10-1d Amended V. 12, p. 1748
 30-10-2 Amended V. 13, p. 741
 30-10-7 Amended V. 13, p. 742
 30-10-11 Amended V. 12, p. 1749
 30-10-15a Amended V. 12, p. 1751
 30-10-17 Amended V. 12, p. 1753
 30-10-18 Amended V. 13, p. 742
 30-10-19 Amended V. 12, p. 1756
 30-10-23a Amended V. 12, p. 1756
 30-10-25 Amended V. 12, p. 1757
 30-10-28 Amended V. 12, p. 1758
 30-31-7 Amended V. 12, p. 901, 975
 30-46-10 Amended V. 12, p. 1231
 30-65-1 New V. 12, p. 1592, 1632

30-65-2 New V. 12, p. 1593, 1633
 30-65-3 New V. 12, p. 1593, 1633

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-27-11	Revoked	V. 13, p. 91
36-37-1 through 36-37-6	New	V. 12, p. 309, 310
36-38-1	New	V. 12, p. 310
36-38-2	New	V. 12, p. 310
36-39-1 through 36-39-6	New	V. 12, p. 1088-1090

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-22	Amended	V. 13, p. 185
40-1-39	New	V. 12, p. 1563
40-1-41	New	V. 12, p. 1563
40-2-23	New	V. 12, p. 1564
40-3-10	Revoked	V. 12, p. 1564
40-3-32	Amended	V. 12, p. 1564
40-3-33	Amended	V. 12, p. 1565
40-3-47	Amended	V. 13, p. 185
40-3-50	New	V. 12, p. 1568
40-4-2	Amended	V. 12, p. 1568
40-5-12	New	V. 12, p. 1568

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-2-103	New	V. 12, p. 822
44-5-102	Revoked	V. 13, p. 835
44-6-124	Amended	V. 12, p. 1154
44-6-146	New	V. 12, p. 1154
44-7-104	Amended	V. 13, p. 835
44-7-116	New	V. 12, p. 1155
44-9-103	Revoked	V. 13, p. 836
44-9-104	Revoked	V. 13, p. 837
44-9-105	Amended	V. 13, p. 837
44-13-201	Amended	V. 13, p. 837
44-13-201b	Amended	V. 13, p. 838
44-13-202	Amended	V. 13, p. 838
44-13-402	Amended	V. 13, p. 839
44-13-403	Amended	V. 13, p. 839
44-13-603	Amended	V. 13, p. 841
44-14-101	Amended	V. 12, p. 1593
44-14-102	Amended	V. 12, p. 1594
44-14-201	Amended	V. 12, p. 1594
44-14-301	Amended	V. 12, p. 1594
44-14-302	Amended	V. 13, p. 841
44-14-303	Amended	V. 12, p. 1596
44-14-305	Amended	V. 12, p. 1596
44-14-305a	Revoked	V. 12, p. 1596
44-14-306	Amended	V. 12, p. 1596
44-14-307	Amended	V. 12, p. 1597
44-14-309	Amended	V. 12, p. 1597
44-14-310	Amended	V. 12, p. 1597
44-14-311	Amended	V. 12, p. 1597
44-14-314	Amended	V. 12, p. 1597
44-14-316	Amended	V. 12, p. 1597
44-14-318	New	V. 12, p. 1597

AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-9-7	Amended	V. 12, p. 1999

AGENCY 56: OFFICE OF THE ADJUTANT GENERAL

Reg. No.	Action	Register
56-2-1	New	V. 12, p. 1736
56-2-2	New	V. 12, p. 1736
56-3-1 through 56-3-6	New	V. 13, p. 89-91, 111-112

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-1-101	Revoked	V. 12, p. 1205
60-1-102	Amended	V. 12, p. 348
60-1-103	Amended	V. 12, p. 348
60-3-101	Amended	V. 12, p. 348
60-3-104	Revoked	V. 13, p. 365
60-3-105	Amended	V. 13, p. 365
60-3-106	Amended	V. 13, p. 365
60-3-106a	New	V. 13, p. 365
60-3-110	Amended	V. 12, p. 1205
60-3-111	New	V. 12, p. 349
60-4-101	Amended	V. 13, p. 365

60-4-103	Amended	V. 13, p. 365
60-7-104	Amended	V. 13, p. 366
60-7-106	New	V. 12, p. 1206
60-7-108	New	V. 12, p. 349
60-8-101	Amended	V. 13, p. 366
60-9-105	Amended	V. 12, p. 349
60-9-107	Amended	V. 12, p. 1206
60-11-103	Amended	V. 12, p. 350
60-11-108	Amended	V. 12, p. 1208
60-11-113	Amended	V. 13, p. 366
60-11-118	Amended	V. 12, p. 350
60-11-119	Amended	V. 12, p. 489
60-12-104	Amended	V. 12, p. 1208
60-12-105	Amended	V. 12, p. 1208
60-13-101	Amended	V. 12, p. 489
60-13-110	Amended	V. 13, p. 366

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-3	Amended	V. 12, p. 1598
63-1-4	Amended	V. 12, p. 632
63-3-10	Amended	V. 12, p. 632
63-3-11	Amended	V. 12, p. 632
63-3-19	Amended	V. 12, p. 633
63-4-1	Amended	V. 12, p. 1598

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 12, p. 630
65-4-4	Amended	V. 12, p. 630

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-6	Amended	V. 12, p. 1926
66-6-8	Amended	V. 12, p. 1926
66-6-9	Amended	V. 12, p. 1926
66-8-2 through 66-8-5	Amended	V. 12, p. 1926, 1927
66-9-1	Amended	V. 12, p. 1927
66-9-2	Amended	V. 12, p. 1927
66-9-4	Amended	V. 12, p. 1927
66-9-5	Amended	V. 12, p. 1928
66-10-1	Amended	V. 12, p. 1928
66-10-3	Amended	V. 12, p. 1928
66-10-4	Amended	V. 12, p. 1928
66-10-9	Amended	V. 12, p. 1928
66-11-1	Amended	V. 12, p. 1929
66-11-2	Amended	V. 12, p. 1929
66-12-1	Amended	V. 12, p. 1929

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1a	Amended	V. 13, p. 533
68-1-1f	Amended	V. 13, p. 534
68-7-12a	New	V. 12, p. 186
68-7-14	Amended	V. 13, p. 534
68-7-19	New	V. 12, p. 187
68-11-1	Amended	V. 13, p. 534
68-11-2	Amended	V. 13, p. 535
68-12-2	Amended	V. 12, p. 187
68-20-9	Amended	V. 13, p. 535
68-20-18	Amended	V. 12, p. 187
68-20-19	Amended	V. 12, p. 188

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-1-4	Amended	V. 13, p. 4
69-11-1	Amended	V. 12, p. 1633

69-12-1 through 69-12-17 New V. 12, p. 1633-1635

AGENCY 70: BOARD OF VETERINARY EXAMINERS

Reg. No.	Action	Register
70-5-1	Amended	V. 13, p. 445

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-16	New	V. 12, p. 439
71-1-17	New	V. 12, p. 439
71-1-18	New	V. 12, p. 1700
71-3-3	Amended	V. 12, p. 532

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-8	Amended	V. 12, p. 1922
74-5-2	Amended	V. 12, p. 1039
74-5-202	Amended	V. 12, p. 1039
74-5-203	Amended	V. 12, p. 1040

74-5-405	Amended	V. 12, p. 1040
74-5-406	Amended	V. 12, p. 1040
74-6-1	Amended	V. 12, p. 1040
74-6-2	Amended	V. 12, p. 1041
74-8-2	Amended	V. 12, p. 1041
74-8-5	Amended	V. 12, p. 1041
74-11-1 through 74-11-5	Revoked	V. 12, p. 1922
74-11-6 through 74-11-14	New	V. 12, p. 1922-1926
74-14-1	New	V. 12, p. 1041
74-14-2	New	V. 12, p. 1041

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-6	Amended	V. 13, p. 276

AGENCY 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

Reg. No.	Action	Register
80-8-1 through 80-8-7	New	V. 12, p. 980, 981

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-1	Amended	V. 12, p. 788
81-3-3	Amended	V. 12, p. 790
81-3-4	New	V. 12, p. 790
81-5-3	Amended	V. 12, p. 790
81-5-8	Amended	V. 12, p. 791
81-5-9	Amended	V. 12, p. 791
81-5-10	New	V. 12, p. 791
81-5-11	New	V. 12, p. 1873
81-7-1	Amended	V. 12, p. 791
81-7-2	New	V. 12, p. 794
81-11-11	Amended	V. 12, p. 794

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-228	Amended	V. 12, p. 147
82-1-232	Amended	V. 12, p. 148
82-3-107	Amended	V. 13, p. 531
82-3-138	Amended	V. 13, p. 532
82-3-200	Amended	V. 13, 532
82-3-203	Amended	V. 13, p. 532
82-3-206	Amended	V. 12, p. 1592
82-3-307	Amended	V. 12, p. 1592
82-3-401	Amended	V. 12, p. 376
82-3-401a	New	V. 12, p. 377
82-3-604	Amended	V. 13, p. 532
82-3-605	Amended	V. 13, p. 533
82-4-1	Amended	V. 12, p. 439
82-4-3	Amended	V. 12, p. 440
82-4-6d	Amended	V. 12, p. 441
82-4-8a	Amended	V. 12, p. 441
82-4-20	Amended	V. 12, p. 442
82-4-27a	Amended	V. 12, p. 442
82-4-29	Amended	V. 12, p. 443
82-4-34	Revoked	V. 12, p. 443
82-4-35a	Amended	V. 12, p. 443
82-4-37	Amended	V. 12, p. 443
82-4-38	Revoked	V. 12, p. 443
82-4-39	Amended	V. 12, p. 443

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-5	Amended	V. 12, p. 1662
86-1-11	Amended	V. 12, p. 1662
86-3-7	Amended	V. 12, p. 1663
86-3-22	Amended	V. 12, p. 1663
86-3-24	Revoked	V. 12, p. 980

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-10-4	Amended	V. 12, p. 631
88-11-5	Amended	V. 12, p. 631
88-22-1 through 88-22-10	New	V. 12, p. 93, 94

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-30	Amended	V. 12, p. 579
91-1-30a	Amended	V. 13, p. 975
91-1-56	Amended	V. 13, p. 308
91-1-80	Amended	V. 12, p. 580

(continued)

91-1-85	Amended	V. 13, p. 976
91-1-92	Amended	V. 13, p. 976
91-1-93a	Amended	V. 13, p. 977
91-1-102	Revoked	V. 13, p. 367
91-1-102a	Amended	V. 13, p. 308
91-1-104	Revoked	V. 13, p. 367
91-1-104a	Revoked	V. 13, p. 367
91-1-104b	Amended	V. 13, p. 309
91-1-104c	Amended	V. 13, p. 309
91-1-110a	Amended	V. 12, p. 582
91-1-110b	Revoked	V. 13, p. 367
91-1-110c	Amended	V. 13, p. 310
91-1-112a	Revoked	V. 13, p. 367
91-1-112b	Revoked	V. 13, p. 367
91-1-112c	Amended	V. 13, p. 310
91-1-112d	Amended	V. 13, p. 311
91-1-113a	Revoked	V. 13, p. 367
91-1-113b	Amended	V. 13, p. 311
91-12-22	Amended	V. 12, p. 1929
91-12-23	Amended	V. 12, p. 1933
91-12-24a	Amended	V. 12, p. 590
91-12-27	Amended	V. 12, p. 590
91-12-28	Amended	V. 12, p. 590
91-12-30	Amended	V. 12, p. 591
91-12-33	Amended	V. 12, p. 591
91-12-37	Amended	V. 12, p. 591
91-12-40	Amended	V. 12, p. 592
91-12-41	Amended	V. 12, p. 593
91-12-44	Amended	V. 12, p. 594
91-12-45	Amended	V. 12, p. 1934
91-12-46	Amended	V. 12, p. 1935
91-12-47	Amended	V. 12, p. 595
91-12-51	Amended	V. 12, p. 596
91-12-53	Amended	V. 12, p. 596
91-12-54	Amended	V. 12, p. 597
91-12-55	Amended	V. 12, p. 598
91-12-59	Amended	V. 12, p. 598
91-12-61	Amended	V. 12, p. 598
91-12-64	Amended	V. 12, p. 599
91-12-65	Amended	V. 12, p. 600
91-12-71	Amended	V. 12, p. 1935

AGENCY 98: KANSAS WATER OFFICE

Reg. No.	Action	Register
98-5-2	Amended	V. 12, p. 351
98-5-3	Amended	V. 12, p. 352
98-5-5	Amended	V. 12, p. 353

**AGENCY 99: BOARD OF AGRICULTURE—
DIVISION OF WEIGHTS AND MEASURES**

Reg. No.	Action	Register
99-40-21 through 99-40-46	New	V. 13, p. 1013-1015

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-10a-1	Amended	V. 13, p. 637
100-11-1	Amended	V. 12, p. 1704
100-24-1	Amended	V. 13, p. 638
100-26-1	New	V. 13, p. 638
100-35-7	Amended	V. 13, p. 638
100-38-1	Amended	V. 12, p. 1704
100-46-3	Amended	V. 13, p. 638
100-46-5	Amended	V. 13, p. 638
100-46-6	New	V. 12, p. 679
100-47-1	Amended	V. 12, p. 679
100-49-4	Amended	V. 12, p. 1704
100-54-6	Amended	V. 12, p. 1704
100-55-6	Amended	V. 12, p. 1704
100-60-13	Amended	V. 13, p. 638

**AGENCY 102: BEHAVIORAL SCIENCES
REGULATORY BOARD**

Reg. No.	Action	Register
102-1-13	Amended	V. 12, p. 1038
102-5-1 through 102-5-12	New	V. 12, p. 189-194
102-5-2	Amended	V. 12, p. 1038

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

Reg. No.	Action	Register
105-2-1	Amended	V. 13, p. 183
105-3-2	Amended	V. 12, p. 976, 1013
105-3-11	New	V. 13, p. 184
105-5-2	Amended	V. 13, p. 184
105-5-6	Amended	V. 12, p. 977, 1013
105-5-7	Amended	V. 12, p. 977, 1014
105-5-8	Amended	V. 12, p. 977, 1014
105-5-9	New	V. 12, p. 1014
105-9-5	New	V. 12, p. 1014

105-10-1	Revoked	V. 13, p. 184
105-10-1a	New	V. 13, p. 184
105-10-3	New	V. 13, p. 184
105-10-4	New	V. 13, p. 185
105-10-5	New	V. 13, p. 185

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

Reg. No.	Action	Register
109-1-1	Amended	V. 12, p. 1873
109-2-5	Amended	V. 12, p. 1015
109-2-8	Amended	V. 12, p. 1016
109-5-1	Amended	V. 12, p. 1018
109-9-4	Amended	V. 12, p. 1874
109-9-5	Amended	V. 12, p. 1875
109-10-2	New	V. 12, p. 1091
109-10-3	New	V. 12, p. 1875
109-10-4	New	V. 12, p. 1876
109-11-1	Amended	V. 12, p. 1876
109-11-4	Amended	V. 12, p. 1019
109-11-8	Amended	V. 12, p. 1876
109-13-1	New	V. 12, p. 1877
109-13-3	New	V. 12, p. 1877

**AGENCY 110: DEPARTMENT OF
COMMERCE AND HOUSING**

Reg. No.	Action	Register
110-6-1 through 110-6-6	New	V. 12, p. 1294, 1295 1489, 1490
110-6-7	New	V. 12, p. 1490

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-2	Amended	V. 12, p. 1261
111-2-2a	Revoked	V. 9, p. 1675
111-2-6	Revoked	V. 13, p. 149
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881
111-2-14	New	V. 9, p. 30
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20	New	V. 11, p. 199
111-2-21	New	V. 11, p. 1471
111-2-22	New	V. 11, p. 1972
111-2-23	New	V. 12, p. 113
111-2-24	Amended	V. 12, p. 912
111-2-25	New	V. 12, p. 677
111-2-26	New	V. 12, p. 1113
111-2-27	New	V. 12, p. 1370
111-2-28	New	V. 12, p. 1844
111-2-29	New	V. 12, p. 1844
111-3-1	Amended	V. 13, p. 34
111-3-6	Amended	V. 12, p. 677
111-3-9	Revoked	V. 11, p. 1793
111-3-10 through 111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 13, p. 35
111-3-12	Amended	V. 10, p. 12
111-3-13	Amended	V. 11, p. 1148
111-3-14	Amended	V. 10, p. 12
111-3-16	Amended	V. 9, p. 1566
111-3-19 through 111-3-22	Amended	V. 9, p. 30
111-3-20	Amended	V. 11, p. 1148
111-3-21	Amended	V. 11, p. 1148
111-3-22	Amended	V. 11, p. 1148
111-3-23	Revoked	V. 10, p. 883
111-3-25	Amended	V. 11, p. 1149
111-3-26	Amended	V. 11, p. 1149
111-3-27	Amended	V. 11, p. 1149
111-3-29	Revoked	V. 11, p. 1149
111-3-31	Amended	V. 8, p. 209
111-3-32	Amended	V. 10, p. 883
111-3-33	New	V. 7, p. 1434
111-3-34	New	V. 13, p. 149
111-3-35	New	V. 13, p. 337
111-3-36	New	V. 13, p. 877
111-3-37	New	V. 13, p. 877
111-4-1 through 111-4-5	Revoked	V. 12, p. 113
111-4-5a	Revoked	V. 12, p. 113

111-4-6 through 111-4-15	Revoked	V. 12, p. 113
111-4-66 through 111-4-77	New	V. 7, p. 207-209
111-4-96 through 111-4-114	New	V. 7, p. 1606-1610
111-4-100	Amended	V. 12, p. 1113
111-4-101	Amended	V. 12, p. 1113
111-4-102	Amended	V. 12, p. 1114
111-4-103	Amended	V. 10, p. 1211
111-4-104	Amended	V. 12, p. 1114
111-4-105	Amended	V. 12, p. 1114
111-4-106	Amended	V. 11, p. 1472
111-4-106a	Amended	V. 11, p. 1149
111-4-107	Amended	V. 11, p. 978
111-4-108	Amended	V. 12, p. 1114
111-4-110	Amended	V. 11, p. 978
111-4-111	Amended	V. 9, p. 1366
111-4-112	Amended	V. 12, p. 1114
111-4-113	Amended	V. 9, p. 1366
111-4-114	Amended	V. 9, p. 1366
111-4-153 through 111-4-160	Revoked	V. 9, p. 1676, 1677
111-4-177 through 111-4-212	Revoked	V. 9, p. 1677, 1678
111-4-213 through 111-4-220	Revoked	V. 10, p. 1213
111-4-217	Amended	V. 9, p. 986
111-4-221 through 111-4-224	Revoked	V. 10, p. 1585
111-4-225 through 111-4-228	Revoked	V. 10, p. 1585
111-4-229 through 111-4-236	Revoked	V. 10, p. 1585, 1586
111-4-237 through 111-4-240	Revoked	V. 11, p. 413
111-4-241 through 111-4-244	Revoked	V. 12, p. 1371
111-4-245 through 111-4-248	Revoked	V. 12, p. 1371
111-4-249 through 111-4-256	Revoked	V. 12, p. 113, 114
111-4-257 through 111-4-286	Revoked	V. 11, p. 413, 414
111-4-287 through 111-4-300	New	V. 10, p. 883-886
111-4-287 through 111-4-290	Revoked	V. 12, p. 1371
111-4-291 through 111-4-300	Revoked	V. 12, p. 114
111-4-301 through 111-4-307	New	V. 10, p. 1015, 1016
111-4-301	Amended	V. 12, p. 1115
111-4-303	Amended	V. 12, p. 1115
111-4-304	Amended	V. 12, p. 1115
111-4-306	Amended	V. 12, p. 1115
111-4-308 through 111-4-320	New	V. 10, p. 1214, 1215
111-4-308	Amended	V. 12, p. 1261
111-4-311	Amended	V. 12, p. 1262
111-4-312	Amended	V. 12, p. 1262
111-4-313	Amended	V. 12, p. 1262
111-4-318 through 111-4-321	Revoked	V. 12, p. 114
111-4-322 through 111-4-331	New	V. 10, p. 1411-1413
111-4-322	Revoked	V. 12, p. 1371
111-4-327 through 111-4-328	Revoked	V. 12, p. 114
111-4-335	Revoked	V. 12, p. 114

111-4-336 through
 111-4-345 New V. 10, p. 1526-1528
 111-4-336 through
 111-4-340 Amended V. 12, p. 1371, 1372
 111-4-341 Revoked V. 11, p. 1473
 111-4-341a Revoked V. 12, p. 1372
 111-4-341b Amended V. 12, p. 1372
 111-4-341c New V. 12, p. 1664
 111-4-344 Amended V. 12, p. 1373
 111-4-346 through
 111-4-361 New V. 10, p. 1586-1589
 111-4-346 through
 111-4-349 Revoked V. 12, p. 114
 111-4-362 through
 111-4-365 Revoked V. 12, p. 114, 115
 111-4-362 Amended V. 11, p. 13
 111-4-366 through
 111-4-379 New V. 11, p. 136-139
 111-4-366 through
 111-4-369 Revoked V. 12, p. 1373
 111-4-380 through
 111-4-383 Revoked V. 12, p. 1664
 111-4-384 through
 111-4-387 Revoked V. 12, p. 1373
 111-4-388 through
 111-4-400 New V. 11, p. 478-481
 111-4-388 through
 111-4-391 Revoked V. 12, p. 1373
 111-4-392 Amended V. 12, p. 520
 111-4-394 through
 111-4-400 Amended V. 12, p. 521, 522
 111-4-401 through
 111-4-404 Revoked V. 12, p. 1373
 111-4-405 through
 111-4-413 New V. 11, p. 756, 757
 111-4-405 Amended V. 13, p. 877
 111-4-407 Amended V. 13, p. 877
 111-4-408 Amended V. 13, p. 877
 111-4-409 Amended V. 13, p. 877
 111-4-411 Amended V. 11, p. 1474
 111-4-412 Amended V. 11, p. 1475
 111-4-413 Amended V. 11, p. 1475
 111-4-414 through
 111-4-428 New V. 11, p. 981-983
 111-4-414 Amended V. 11, p. 1150
 111-4-429 through
 111-4-432 Revoked V. 12, p. 1373
 111-4-433 through
 111-4-436 Revoked V. 12, p. 1374
 111-4-437 through
 111-4-444 New V. 11, p. 1475-1477
 111-4-437 through
 111-4-440 Revoked V. 12, p. 1374
 111-4-445 through
 111-4-453 New V. 11, p. 1794-1796
 111-4-445 through
 111-4-448 Revoked V. 12, p. 1374
 111-4-454 through
 111-4-465 Revoked V. 12, p. 1664, 1665
 111-4-466 through
 111-4-473 New V. 12, p. 316, 317
 111-4-466 through
 111-4-473 New V. 12, p. 316, 317
 111-4-466 through
 111-4-469 Revoked V. 12, p. 1665
 111-4-470 Amended V. 12, p. 522
 111-4-474 through
 111-4-488 New V. 12, p. 522-524

111-4-489 through
 111-4-492 New V. 12, p. 861
 111-4-493 through
 111-4-496 New V. 12, p. 525
 111-4-497 through
 111-4-500 New V. 12, p. 913, 914
 111-4-501 through
 111-4-512 V. 12, p. 1115-1118
 111-4-513 through
 111-4-521 V. 12, p. 1374, 1375
 111-4-522 through
 111-4-530 New V. 12, p. 1569, 1570
 111-4-531 through
 111-4-534 New V. 12, p. 1665, 1666
 111-4-535 through
 111-4-542 New V. 12, p. 1844-1846
 111-4-543 through
 111-4-546 New V. 13, p. 150
 111-4-547 through
 111-4-554 New V. 13, p. 337-339
 111-4-555 through
 111-4-563 New V. 13, p. 396-398
 111-4-564 through
 111-4-571 New V. 13, p. 635-637
 111-4-572 through
 111-4-585 New V. 13, p. 878-880
 111-5-1 through
 111-5-23 New V. 7, p. 209-213
 111-5-9 through
 111-5-15 Amended V. 8, p. 210, 211
 111-5-11 Amended V. 9, p. 505
 111-5-12 Amended V. 11, p. 415
 111-5-17 Amended V. 8, p. 211
 111-5-18 Amended V. 10, p. 13
 111-5-19 Amended V. 8, p. 212
 111-5-21 through
 111-5-33 New V. 11, p. 415-418
 111-5-22 Amended V. 11, p. 481
 111-5-23 Amended V. 11, p. 481
 111-5-24 Amended V. 11, p. 983
 111-5-25 Amended V. 11, p. 482
 111-5-27 Amended V. 11, p. 482
 111-5-28 Amended V. 12, p. 317
 111-5-34 New V. 12, p. 318
 111-5-35 through
 111-5-38 New V. 12, p. 526
 111-6-1 through
 111-6-15 New V. 7, p. 213-217
 111-6-1 Amended V. 13, p. 339
 111-6-3 Amended V. 12, p. 527
 111-6-4 Amended V. 10, p. 1413
 111-6-5 Amended V. 12, p. 1262
 111-6-6 Amended V. 11, p. 1973
 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
 111-7-11 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
112-4-24	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

(continued)

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

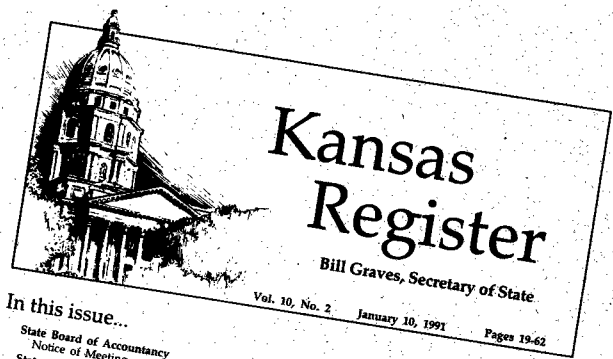
Reg. No.	Action	Register
116-3-1	New	V. 12, p. 1175
116-3-2	New	V. 12, p. 1175
116-4-1	New	V. 13, p. 934
116-4-2	New	V. 13, p. 934

**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

● NOW AVAILABLE . . .

**CUSTOM-MADE
LOOSELEAF BINDERS
for the
KANSAS REGISTER**



In this issue...

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

We are pleased to announce that custom-made *Kansas Register* binders are now available!

These binders will hold your copies of the *Kansas Register* attractively for permanent use. They are highest quality, durable, casebound Swing Hinge® binders made by McBee Loose Leaf Binder Products. (A Swing Hinge® binder has more capacity and allows for easier interfiling than standard ring binders.) They feature dark blue cloth covering and gold imprinting. Each three-inch binder will hold up to a year's worth of *Register* issues.

Order your binders today!

***Kansas Register* binders . . . \$18.00 each includes shipping and handling.**

CLIP AND MAIL

Dear Secretary Graves: Please send _____ *Kansas Register* binders.
(Quantity)

Price: \$18.00 each, includes shipping and handling.

AMOUNT ENCLOSED \$ _____

SHIP TO:

Shipping is by
U.P.S. Delivery Service;
STREET ADDRESS
IS NECESSARY.

Mail order, with payment, to: *Kansas Register*, Secretary of State, State Capitol, Topeka, KS 66612-1594.

**Kansas Register
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594**

Use this form or a copy of it to enter a subscription:

_____ **One-year subscriptions @ \$60 ea.**
(Kansas residents must include
\$3.54 state and local sales tax.)

Total Enclosed _____
(Make checks payable to the Kansas Register)

Send to:

(Please, no
more than
4 address
lines.)

Zip code must be included

This space for Register office use only.
Rec. No. _____
Exp. _____
Code _____

Use this form or a copy of it to enter a name or address change:

Remove your mailing label (above) and affix it here:

**Indicate change of name or address
here:**

**Mail either form to: Kansas Register, Secretary of State, 2nd Floor,
State Capitol, Topeka, KS 66612-1594**