

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 15, No. 42 October 17, 1996 Pages 1557-1608

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State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 21 through November 3. For individual agendas available on the Internet, see: <http://www.kumc.edu/kansas/ksleg/KLRD/klrd.htm1>.

Date	Room	Time	Committee	Agenda
October 21	519-S	10:00 a.m.	Special Committee on	21st: Data on plans to expand
October 22	519-S	9:00 a.m.	Property Tax	homestead property tax refunds; discussion of "Truth in Taxation" laws; possible action on tax lid and expanding revenue options for local units; review of KAC property tax refund interest proposal. 22nd: Inheritance tax information requested in September; school finance simulations; committee discussion.
October 22	526-S	9:00 a.m.	Subcommittee—Task Force on Retail Wheeling	- Finalization of revisions to obsolete Chapter 66 provisions. - Development of subcommittee positions on retail wheeling issues. - Discussion of formal study of retail wheeling issues.
October 23	526-S	9:00 a.m.	Task Force on Endangered Species	Discussion of recommendations, policies and procedures.
October 29	514-S	9:00 a.m.	Legislative Post Audit Committee	Legislative matters.

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 018280

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(913) 296-3489
Fax (913) 291-3051

State of Kansas

**EMS/Trauma Planning Project
Policy Group****Notice of Meeting**

The Kansas EMS/Trauma Planning Project Policy Group will meet from 9:30 a.m. to 4 p.m. Thursday, November 7, at Eberly Farm in Wichita. For more information, contact Deborah Williams, Project Coordinator, Bureau of Local and Rural Health Systems, Landon State Office Building, Room 665, 900 S.W. Jackson, Topeka, 66612-1290, (913) 291-3773.

Deborah Williams
Project Coordinator

Doc. No. 018278

State of Kansas

Kansas Arts Commission**Notice of Meetings**

The Kansas Arts Commission has scheduled two town meetings to receive public comment on proposed changes in the evaluation process for grant applications submitted to the state arts agency for fiscal year 1998 (July 1, 1997 through June 30, 1998).

The commission convened five town meetings during August to discuss proposed changes in the funding programs. The final two meetings will address revisions in the ways the commission's advisory panels will review each application and the comparative criteria upon which the panelists base their recommendations to the commission for grant funding.

The meeting times, dates and locations are as follows:

- **11 a.m. to 1 p.m. Saturday, October 26**, in the north gallery of the Mulvane Art Museum, Washburn University campus, 17th and Jewell, Topeka
- **2 to 4 p.m. Monday, October 28**, in the Lyons House, 742 S. National, Fort Scott

Each meeting will have the same basic format. Attending each session will be a moderator and members of the Kansas Arts Commission and its staff. All comments and discussions will be tape-recorded.

For persons unable to attend either meeting, drafts of the materials are available and written comments may be submitted. Contact the Kansas Arts Commission, Jayhawk Tower, 700 S.W. Jackson, Suite 1004, Topeka, 66603-3758, (913) 296-3335. Persons with special communication needs may utilize the Kansas Relay Center, 1-800-766-3777.

Meetings of the Kansas Arts Commission, a state agency, and of its advisory panels are open to public observation in accessible locations. Agency materials are available in large-print type upon request. Persons needing any special accommodations are asked to contact the commission office at least two weeks in advance.

Eric Hayashi
Executive Director

Doc. No. 018276

State of Kansas

State Banking Board**Notice of Meeting**

The State Banking Board will meet at 9 a.m. Monday, November 18, 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 as set forth in K.S.A. 9-1801 et seq.

W. Newton Male
State Bank Commissioner

Doc. No. 018269

State of Kansas

Kansas Water Authority**Notice of Meeting**

The Kansas Water Authority will meet October 23-24 at the Pittsburg State University Alumni Center, Ford and Joplin Streets, Pittsburg. Committee meetings will begin at 10 a.m. and the full Authority will convene at 9 a.m. October 23. The chairs of the state's 12 basin advisory committees will meet at 7:30 a.m. October 24. In addition to its regular business of acting on reports from its four committees, the Authority is scheduled to adopt its *Annual Report to the Governor and Legislature*.

For additional information, contact John Gottschamer, Public Information Coordinator, Kansas Water Office, (913) 296-0866.

If accommodations are needed for persons with disabilities, please notify the Kansas Water Office at 109 S.W. 9th, Suite 300, Topeka, 66612-1249, (913) 296-3185, (TTY) (913) 296-6604, at least two days prior to the meeting.

Kent Lamb
Chairman

Doc. No. 018275

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. 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, October 28, 1996

70063

Combined fast atom bombardment
(FAB) ion gun package

70065

Ion beam thinning system

70067

VAX/VMS color workstation

William H. Sesler
Director of Purchasing

Doc. No. 018258

State of Kansas

Workforce Investment Partnership Council

Notice of Meeting

The Kansas Workforce Investment Partnership Council will meet from 9 a.m. to noon Wednesday, October 30, at the Security Benefit Group Building, Heritage Room, fourth floor, 700 S.W. Harrison, Topeka. The meeting is open to the public. Please confirm your attendance by contacting Roxie Ortiz at (913) 296-3534.

Wayne L. Franklin
Secretary of Human Resources

Doc. No. 018283

State of Kansas

University of Kansas Medical Center

Notice to Bidders

Sealed bids for items listed below will be received by the University of Kansas Medical Center, Purchasing Department, 3901 Rainbow Blvd., Kansas City, KS 66160-7162, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call Peggy Davis at (913) 588-1115 for additional information.

Monday, November 4, 1996

72756

Methadone powder

Barbara Lockhart
Purchasing Director

Doc. No. 018270

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

Applications set for hearing are to be heard at 9:30 a.m. November 5 before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (913) 271-3196 or 271-3146. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

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

Applications set for November 5, 1996

Application for Certificate of Public Service:

Todd A. Boyles, dba)
T and L Trucking) MC ID No.
P.O. Box 154) 145901
Webber, KS 66970)

Applicant's Attorney: None

General commodities (except household goods and hazardous materials),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Rick Casey, dba)
Rick Casey Trucking) MC ID No.
301 W. 2nd) 153771
Concordia, KS 66901)

Applicant's Attorney: None

General commodities (except household goods and hazardous materials),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Dennis W. Cooke, dba)
Dennis W. Cooke Enterprises) MC ID No.
601 Broadview) 153447
El Dorado, KS 67042)

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement vehicles,

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Tom D. and Charles E. Cook, dba)
Cook Trucking) MC ID No.
330 E. Hill) 153452
Colby, KS 67701)

Applicant's Attorney: None

Grain,

Between all points and places in the State of Kansas.

Application for Certificate of Convenience and Necessity:

Janae J. Crum Plummer, dba)
In Your Dreams Limousines) MC ID No.
15450 Highway 99) 153451
Westmoreland, KS 66549)

Applicant's Attorney: None

Passengers and their baggage,

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Emporia Feed, Inc.) MC ID No.
2700 W. South Ave.) 153765
Emporia, KS 66801)

Applicant's Attorney: None

General commodities (except household goods and hazardous materials),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Ray Garrison, dba)
Ray Garrison Ranch) MC ID No.
Route 1, Box 115) 153450
Norton, KS 67654)

Applicant's Attorney: None

Grain,

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Randy Kelley, dba)
Randy Kelley Trucking) MC ID No.
1718 Co. Road 119) 153448
Hartford, KS 66854)

Applicant's Attorney: None

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

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Johnnie L. Ross, dba)
J.L. Ross Trucking Co.) MC ID No.
1914 N. Tremont St.) 153270
Kansas City, KS 66101)

Applicant's Attorney: None

General commodities (except household goods and hazardous materials),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Kenneth A. Senn, dba)
Senn Trucking) MC ID No.
20949 X Road) 153861
Holton, KS 66436)

Applicant's Attorney: None

General commodities (except household goods and hazardous materials),

Between all points and places in the State of Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Adam Andrew Zerr, dba)
E-Z Limousine Service) MC ID No.
208 W. Crane St.) 140106
Norton, KS 67654-1118)

Applicant's Attorney: None

Don Carlile
Administrator
Transportation Division

Doc. No. 018274

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale and removal at public auction at 10 a.m. November 21 the following improvements located in Shawnee County, Kansas, described as follows:

Tr. 18—3516 N.W. Cambridge, Topeka (located west of Highway 75 on N.W. 35th to Cambridge)— 1,280 sq. ft. house with LR, DR/Kit, 3 BR, 2 Baths, laundry room, and attached garage.

24 x 32 detached garage.

12 x 12 wood utility shed.

An inspection of property will be November 14 from 1 to 3 p.m. and 30 minutes prior to the sale.

Performance Bonds: House..... \$2,500
Detached Garage..... \$1,000
Utility Shed\$250

The successful bidders will be required to remove the structures from the right of way on or before March 21, 1997. A performance bond equal to the amount specified above for each sale must be posted on the day of the sale as guarantee of removal of the structures. Any item not removed from the right of way on or before the specified date shall revert to and become the property of the Kansas Department of Transportation. The purchasers shall have no right, title, interest or claim to or lien upon said remaining items or part thereof, nor any claim against the Department of Transportation for the sale price paid after said date.

Purchasers shall not permit use or occupancy of said structures pending removal from highway right of way. If applicable, the purchaser shall, during the interim period of moving the improvement and filling in the basement, mark the area with tape, ribbon or fencing, warning the public of the opening.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

Terms of the Sale:

Money order, certified check or cashier's check for full price on the day of sale, payable to the Secretary of Transportation. Purchasers will receive a bill of sale.

The seller reserves the right to reject any and all bids and is not responsible for accidents. For additional information, contact Rodney Miller or Vicky Harth, Bureau of Right of Way, (913) 296-3501.

E. Dean Carlson
Secretary of Transportation

Doc. No. 018268

State of Kansas

Department of Transportation

Notice to Consulting Engineering Firms

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. Responses must be received by 5 p.m. October 31 for the consulting engineering firm to be considered. Seven signed copies of the response should be mailed to Neil R. Rusch, P.E., Assistant to the Director, Division of Engineering and Design, Room 1084 West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages.

Project No. 635-105 K-4890-01
Wyandotte County

The scope of services is to develop construction plans for surface and shoulder rehabilitation of 3.7 km of I-635 from K-32 north to 0.5 km north of US-24. Fifteen associated bridges with various treatments are included in the project.

Project No. 128-45 K-2098-01
Jewell County

The scope of services is to develop construction plans for the replacement of Oak Creek Bridge 021, 13.81 km south of the Kansas/Nebraska state line.

Project No. 135-87 K-6370-01
Sedgwick County

The scope of services is to develop construction plans for surface and shoulder rehabilitation of 4.7 km of I-135 from the north end of the viaduct north to the 6L/4L divided. Twelve associated bridges with various treatments are included in the project.

Project No. 635-105 K-6371-01
Wyandotte County

The scope of services is to develop construction plans for surface and shoulder rehabilitation of 4.7 km of I-635 from 0.5 km north of US-24 northeast to the Missouri River Bridge. Eight associated bridges with various treatments are included in the project.

Project No. 50-28 K-6374-01
Finney County

The scope of services is to develop construction plans for the reconstruction 16.1 km of US-50 from 1.4 km east of Garden City east and southeast to the Finney County line. The replacement of the Arkansas River Drainage Bridge 003 is included in the project.

From firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three, not more than five) and invite them to attend the individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of projects at hand. Firms not selected will be notified by letter.

The Consulting Negotiating Committee, appointed by the Secretary of Transportation, will conduct discussions with the firms invited to the individual interview conference. The committee will select the firm to perform the professional services required for completing the adver-

tised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

It is the policy of KDOT to use the following criteria as the basis for selection of the consulting engineering firms:

1. size and professional qualification;
2. experience of staff;
3. location of firm with respect to proposed project;
4. work load of firm; and
5. firm's performance record.

E. Dean Carlson
Secretary of Transportation

Doc. No. 018238

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

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

Monday, October 28, 1996

32098

Department of Social and Rehabilitation Services—
Janitorial services, Parsons

32105

Wichita State University—Chemical dilution control
system

Tuesday, October 29, 1996

A-7366 (J)

State School for the Deaf—Moveable furnishings and
accessories, Emery Hall

32099

Statewide—Facsimile equipment

32100

Osawatomie State Hospital—Laboratory services

04931

Department of Transportation—Liquid chloride
storage/pumping system, Topeka and Chanute

04932

Department of Health and Environment—Breath test
devices

04940

University of Kansas—Gas chromatograph
spectrometer

04949

University of Kansas—Asphalt pavement analyzer

Wednesday, October 30, 1996

32103

Kansas State University—Canned goods

04941

Department of Transportation—Dismantle tower, Fort
Scott and Kansas City

04942

Department of Transportation—Furnish all labor and
materials for sewer modifications, Concordia and
Mankato

(Published in the Kansas Register October 17, 1996.)

04943

Adjutant General's Department—Furnish and install a vehicle exhaust system, Hutchinson

Thursday, October 31, 1996

04950

Kansas State University—Conversion of refrigerant in chiller

04958

Department of Human Resources—Furnish and install server

04959

Department of Wildlife and Parks—Trash dumpsters, Milford and Tuttle Creek State Parks

04960

University of Kansas—Unix workstation/server

04970

Larned State Hospital—Washer/extractors

Friday, November 1, 1996

32104

Statewide—December (1996) meat products

04964

Kansas State University—Full size sport utility vehicle

04965

Department of Transportation—Traffic control drums

04966

Department of Transportation—Wood signposts, Topeka and Hutchinson

04967

University of Kansas—Rebar and mesh

04968

Kansas State University—Furnish and install entrance wall glass

04969

Pittsburg State University—Library shelving

Tuesday, November 5, 1996

A-8088

Department of Wildlife and Parks—RV site electrical distribution, Milford State Park

Wednesday, November 6, 1996

A-7940 Rev. and A-7941

University of Kansas—Replace siding/windows, Watkins and Miller Hall

Thursday, November 7, 1996

A-7911

Kansas Neurological Institute—Toilet remodeling, Phase 1, Sunflower and Cottonwood

A-7912

Youth Center at Beloit—ADA upgrades, various buildings

Tuesday, November 12, 1996

A-7959

University of Kansas—CFC improvements, Dyche Hall

A-7963

University of Kansas—CFC improvements, Twente Hall

John T. Houlihan
Director of Purchases

Doc. No. 018284

**Notice of Redemption
Rural Water District No. 4
Sedgwick County, Kansas
Water Utility Refunding
and Improvement Revenue Bonds
Dated November 15, 1991**

Notice is hereby given that pursuant to Resolution 96-1 of the governing body of Rural Water District No. 4, Sedgwick County, Kansas, and Section 3 of Resolution 91-1 dated November 13, 1991, the following outstanding Rural Water District No. 4, Sedgwick County, Kansas, Water Utility Refunding, and Improvement Revenue Bonds, Series 1991, dated November 15, 1991, maturing on and after December 1, 1997, have been called for redemption and prepayment on December 1, 1996 (the redemption date), prior to their maturity subject to the provisions and limitations set forth herein.

Date	Principal Amount	Interest Rate
December 1, 1997	\$40,000	5.75%
December 1, 1998	\$45,000	6.00%
December 1, 1999	\$50,000	6.25%
December 1, 2000	\$55,000	6.50%
December 1, 2001	\$65,000	6.70%
December 1, 2002	\$70,000	6.80%
December 1, 2003	\$75,000	6.90%
December 1, 2004	\$80,000	7.00%
December 1, 2005	\$90,000	7.00%
	Term Bond	
December 1, 2014	\$1,380,000	7.35%

The principal amount of the above described Series 1991 Bonds shall become due and payable on December 1, 1996, at a redemption price equal to the principal amount thereof, plus accrued interest thereon to said redemption date.

On December 1, 1996, provided that funds are on hand to pay the specified redemption price, all outstanding Series 1991 Bonds will become due and payable at the office of the Kansas State Treasurer, Topeka, Kansas, and from and after December 1, 1996, all interest on the Series 1991 Bonds will cease to accrue thereon.

Under the Interest and Dividend Tax Compliance Act of 1983 [Section 3406(a)(1) of the Internal Revenue Code of 1986], as amended, paying agents making payment of principal on municipal securities may be obligated to withhold a 31 percent tax from remittances to individuals who have failed to provide the paying agent with a valid taxpayer identification number when presenting securities for payment. Holders of the Series 1991 Bonds who desire to avoid the imposition of said tax should submit certified taxpayer identification numbers when presenting the bonds for payment.

Dated August 15, 1996.

Rural Water District No. 4
Sedgwick County, Kansas
By Kansas State Treasurer
Topeka, Kansas
Paying Agent

Doc. No. 018261

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
Neosho County Courthouse
Shliok and Lincoln Ave.
Chanute, Kansas

Before Brazil, C.J.; Green and Knudson, J.J.

Wednesday, October 30, 1996

9:00 a.m.

Case No.	Case Name	Attorneys	County
75,724	State of Kansas, Appellee, v. Donald F. Trammell, Appellant.	County Attorney Attorney General Charles Gentry	Bourbon
75,132	In the Matter of the Marriage of Betty Ann Dekeyser Warner, Appellee, and Wilbur Lee Warner, Appellant.	Glenn E. Casebeer II Morris D. Hildreth	Montgomery
74,655	John A. Medford, Appellant, v. Ken D. Rathjen and Kathleen A. Rathjen, Appellees.	W.J. Fitzpatrick Douglas G. Ott	Montgomery
10:40 a.m.			
74,508	In the Matter of the Marriage of Darla Kathryn Grooms, Appellee, and Denton Howard Grooms, Appellant.	Douglas G. Ott Monte K. Heasty	Montgomery
74,946	Jon M. and Jean McBride, Appellees, v. Fred Dice, d/b/a Woodtek Termite and Pest Control, a/k/a Woodtek Company, Appellant.	W.J. Fitzpatrick Paul M. Kritz	Montgomery
75,208	Gary Sage and ALJU Construction Company, Appellants, v. Sue Williams, et al., Appellees.	Cortland E. Berry Kurt A. Level Patrick G. Reavey	Greenwood
74,652	In the Matter of the Guardianship and Conservatorship of Linda F. Briggs.	Dan E. Turner John G. Atherton Larry J. Putnam	Lyon
75,249	George L. Lorenz and Carmaleta J. Lorenz, Appellees, v. Dickey Myers and Janice Myers, Appellants.	John M. Wall Gary House	Chautauqua

Thursday, October 31, 1996

9:00 a.m.

Case No.	Case Name	Attorneys	County
74,748	State of Kansas, Appellee, v. Daniel B. Knaup, Appellant.	County Attorney Attorney General Daniel D. Creitz	Crawford
74,966	State of Kansas, Appellee, v. Orlando Thompson, Appellant.	County Attorney Attorney General Rhonda Keylon Levinson	Montgomery
73,929	State of Kansas, Appellee, v. Rolland G. Berreth, Appellant.	County Attorney Attorney General Broc E. Whitehead	Butler

10:45 a.m.

74,701	State of Kansas, Appellee, v. Larry Joe Packwood, Appellant.	County Attorney Attorney General David R. Gilman James F. Vano	Labette
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Summary Calendar—No Oral Argument

75,052	In the Matter of the Marriage of Denise Lee Weaver, Appellee, and Lionel Alfred Weaver, Appellant.	Barry D. Martin James M. Jesse	Johnson
76,602	Kevin Moten, Appellant, v. State of Kansas, Appellee.	Joseph L. McCarville III Jon D. Graves Kevin Moten	Reno
75,273	State v. Kansas, Appellee, v. Sylvester Guebara, Appellant.	County Attorney Attorney General Bradley W. Maudlin	Finney

**Kansas Court of Appeals
Snell Courtroom
University of Kansas School of Law
Lawrence, Kansas**

Wednesday, October 30, 1996

Before Elliott, P.J.; Lewis and Pierron, J.J.

9:00 a.m.

Case No.	Case Name	Attorneys	County
75,013	Alan S. Fehlhafer, Appellee, v. State of Kansas, Appellant.	Edward C. Gillette Brian Cox	Leavenworth
74,999	Stephen Pericles, Appellant, v. State of Kansas, Appellee.	Alice Craig District Attorney Attorney General	Wyandotte
75,230	James R. Winters, Appellee, v. GNB Battery Technologies and Home Insurance Co., Appellants, and Kansas Workers Comp. Fund, Appellee.	James E. Martin Richard H. Wagstaff III John David Jurcyk	Work Comp.

10:45 a.m.

74,776	Johnston & Associates, Inc., Appellee, v. Jo Elaine Heaven, Appellant.	John H. Mitchelson Jo Elaine Heaven, pro se	Montgomery
74,721	Aetna Life & Casualty, Appellee, v. Americas Truckway Systems, Inc., Appellant.	Louis J. Wade Luke B. Harkins	Johnson

Before Elliott, P.J.; Pierron, J.; and Wahl, S.J.

1:15 p.m.

74,363	Barbara Janelle Teener and Estate of David Teener, Deceased, Appellants, v. Michael R. Lynn, et al.	Frank C. Weidling Patrick J. Doran	Wyandotte
74,465	State of Kansas, Appellee, v. Richard L. Bjorgo, Appellant.	District Attorney Attorney General Wendy L. Rhyne Slayton	Johnson

(continued)

3:00 p.m.

74,881	Peter J. Ninemire, Appellant, v. State of Kansas, Appellee.	Marilyn M. Trubey County Attorney Attorney General	Franklin
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Summary Calendar—No Oral Argument

75,083	State of Kansas, Appellee, v. Robert J. Stubblefield, Appellant.	County Attorney Attorney General Dennis J. Keenan	Russell
74,758	State of Kansas, Appellee, v. Darrin P. Thorburn, Appellant.	District Attorney Attorney General Edward G. Collister, Jr.	Sedgwick

Kansas Court of Appeals
Shawnee Mission South High School
5800 W. 107th
Overland Park, Kansas

Thursday, October 31, 1996

Before Lewis, P.J.; Pierron, J.; and Wahl, S.J.

9:30 a.m.

Case No.	Case Name	Attorneys	County
74,783	State of Kansas, Appellee, v. James D. Lundquist, Appellant.	District Attorney Attorney General Lindsey P. Erickson	Wyandotte
74,644	Ann Whedon, Appellant, v. Silo, Inc., et al., Appellees.	Gerald N. Jeserich Kenneth E. Holm	Wyandotte

10:45 a.m.

74,610	All Systems, Inc., Appellant, v. David E. Kennedy, Appellee.	James F. Freeman III Scott H. Kreamer	Johnson
73,218	Helen L. Waser and Willis L. Armstrong, Appellants, v. Bromley Quarry & Asphalt, Inc., Appellee.	Larry R. Mears David Oliver	Atchison

Summary Calendar—No Oral Argument

74,940	State of Kansas, Appellee, v. Thomas R. Hess, Appellant.	District Attorney Attorney General Roger L. Sherman	Johnson
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Before Elliott, P.J.; Lewis, J., and Wahl, S.J.

1:00 p.m.

73,889	State of Kansas, Appellee, v. Steven W. Edwards, Appellant.	District Attorney Attorney General Edward G. Collister, Jr.	Douglas
74,539	State of Kansas, Appellee, v. Anthony Tyrone Smith, Appellant.	County Attorney Attorney General Edward G. Collister, Jr.	Geary

2:15 p.m.

74,475	State of Kansas, Appellee, v. Jerrold D. Standish, Appellant.	District Attorney Attorney General Gerald N. Jeserich	Wyandotte
75,087	Hoelting Enterprises, a Kansas General Partnership, Appellant, v. Frederick C. Nelson, et al., Appellees.	Thomas W. Harris Robert M. Pitkin	Johnson

Summary Calendar—No Oral Argument

74,097	State of Kansas, Appellee, v. Adrian T. Newton, Appellant.	District Attorney Attorney General Lisa Moots	Sedgwick
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**Kansas Court of Appeals
Court of Appeals Courtroom, 2nd Floor
Kansas Judicial Center, 301 W. 10th
Topeka, Kansas**

Before Rulon, P.J.; Marquardt, J.; and C. Fred Lorentz, District Judge, assigned.

Wednesday, October 30, 1996

Case No.	Case Name	Attorneys	County
11:00 a.m.			
74,796	Joseph Davidson, Appellant, v. Goodyear Tire & Rubber Co. and Travelers Insurance Co., Appellees.	John Ostrowski Bret C. Owen	Work Comp.
73,476	Edna Danner, by and through Michael Gibbens, Administrator, and Ruby Buntin, daughter and heir-at-law, Appellees, v. Robert C. LaHue, D.O., Chartered, d/b/a Blue Valley Medical Group, et al., Appellants.	Ruben Jorge Krisztal Thomas A. Sheehan Richmond M. Enochs John D. Tongier	Wyandotte
1:30 p.m.			
74,354	State of Kansas, Appellee, v. Kerry Wayne Anderson, Appellant.	County Attorney Attorney General Robert G. German	Saline
74,515	MLK, Inc., d/b/a Metro Construction Assoc., Appellant, v. University of Kansas and State of Kansas, Appellee.	Ronald K. Barker John D. Dunbar Karen Dutcher Nancy L. Ulrich	Shawnee
2:45 p.m.			
74,431	David Doering Livestock, Inc., Appellee, v. Gary Diepenbrock, Appellant.	Norman R. Kelly David E. Rogers	Marion
73,714	State of Kansas, Appellee, v. James DeWayne Burns, Appellant.	County Attorney Attorney General Michael Helvey	Saline

**Kansas Court of Appeals
Robinson Courtroom, Washburn University School of Law
17th and MacVicar
Topeka, Kansas**

Before Rulon, P.J.; Marquardt, J.; and C. Fred Lorentz, District Judge, assigned.

Thursday, October 31, 1996

Case No.	Case Name	Attorneys	County
72,948	State of Kansas, Appellee, v. Timothy R. Kendrix, Appellant.	District Attorney Attorney General Steven R. Zinn	Shawnee

(continued)

74,806	In the Matter of the Marriage of Vickie M. Driver, Appellee, and Randal L. Driver, Appellant.	Edward S. Dunn John R. Kurth	Atchison
74,971	Helen M. Israel, et al., Appellants, v. Robert O. Stanley, et al., Appellees.	Jay C. Hinkel David L. Miller Leonard Robinson	Shawnee
74,573	Harvey Tyler, Jr., Appellant, v. Carol L. Heitman, and/or John Doe, Unidentified Owner of a Certain Wagon Used for Hauling Sawdust, Appellee.	10:45 a.m. Daniel S. Garrity Larry R. Mears	Nemaha
74,294	State of Kansas, Appellee, v. Merideth L. Carson, Appellant.	1:00 p.m. County Attorney Attorney General Elizabeth Seal Cateforis	Lyon
74,155	State of Kansas, Appellee, v. Gilberto Mirac Soto, Appellant.	District Attorney Attorney General Henry O. Boaten	Shawnee
Summary Calendar—No Oral Argument			
74,801	Raymond Hermes, Appellant, v. Fraternal Order of Eagles, Wheatland Aerie 3124, Inc., a Private Corp., Appellee.	Randy S. Stalcup Bradley C. Ralph	Finney
75,143	State of Kansas, Appellee, v. Darryl S. Ford, Appellant.	District Attorney Attorney General Jessica R. Kunen	Wyandotte
75,178	State of Kansas, Appellee, v. Arthur L. Walston, Appellant.	District Attorney Attorney General Edward G. Collister, Jr.	Wyandotte

**Kansas Court of Appeals
Court of Appeals Courtroom, 3rd Floor
Old Sedgwick County Courthouse, 510 N. Main
Wichita, Kansas**

Before Royse, P.J.; Gernon, J.; and Robert G. Jones, District Judge, assigned.

Wednesday, October 30, 1996

Case No.	Case Name	Attorneys	County
73,344	Kimberly R. Cox, Appellant, v. Paul Lesko, M.D., Appellee.	9:00 a.m. Gerard C. Scott Martin W. Bauer James Z. Hernandez	Sedgwick
74,664	Corporate Lodging Consultants, Inc., Appellant, v. John Steven Railsback and Outsource Administrators, Appellant.	James M. Armstrong Steven B. Moore	Sedgwick
74,800	David N. Cowell, Appellant, v. Four Star Mobile Homes, Inc., et al., Appellee.	Everett L. Fettis David E. Bengston Ron Campbell Gregory S. Young	Sedgwick
74,648	Art Leger, Appellant, v. Multimedia Cablevision, Appellee.	10:45 a.m. Kiehl Rathbun Roger E. McClellan Angela L. Rud	Sedgwick

72,970	In the Matter of the Marriage of Sandra Galbreath, Appellee, and Richmond Brierre Galbreath, Jr., Appellant.	Cindy L. Cleous Keith D. Richey	Sedgwick
74,387	Maurice G. Kimsey, Appellant, v. State of Kansas, Appellee.	Elizabeth Seale Cateforis District Attorney Attorney General	Sedgwick
74,446	State of Kansas, Appellee, v. Robert J. Smith, Jr., Appellant.	District Attorney Attorney General Edward G. Collister, Jr.	Sedgwick
73,958	State of Kansas, Appellee, v. Tyrone E. Carr, Appellant.	2:45 p.m. District Attorney Attorney General Steven Zinn	Sedgwick
75,073	Hutchinson National Faculty Association, Appellant, v. Board of Trustees of Hutchinson Community College, Appellee.	David M. Schauner Robert D. Overman William B. Swearer	Reno

Thursday, October 31, 1996

Case No.	Case Name	9:00 a.m. Attorneys	County
74,256	Kenneth Jack and Alison Jack, Appellants, v. City of Wichita, Kansas, et al., Appellees.	F.C. Davis II Douglas J. Moshier W. Thomas Gilman Natalie G. Haag Brian K. McLeod Clark R. Nelson	Sedgwick
74,766	Saundra F. Depew, Appellant, v. NCR Engineering and Manufacturing, Liberty Mutual Insurance Company, Liability Insurance Company, and Kansas Workers Compensation Fund, Appellees.	10:15 a.m. Norman I. Cooley Vincent Bogart J. Darin Hayes Douglas D. Johnson	Work Comp.
73,965	State of Kansas, Appellee, v. Mitchell Vance Buffalohead, Appellant.	District Attorney Attorney General Wendy L. Rhyne Slatyon	Sedgwick
Summary Calendar—No Oral Argument			
74,769 74,770	State of Kansas, Appellee, v. Sterling P. Franks, Appellant.	District Attorney Attorney General Rhonda Keylon Levinson	Sedgwick
74,803	State of Kansas, Appellee, v. Benard Trieber, Appellant.	County Attorney Attorney General Daryl D. Ahlquist	Neosho
74,621	State of Kansas, Appellee, v. Randy G. Burton, Appellant.	County Attorney Attorney General Edward G. Collister, Jr.	Linn

Carol G. Green
Clerk of the Appellate Courts

Doc. No. 018260

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1995 Supp. 75-4210, as amended by 1996 Senate Bill No. 476. These rates and their uses are defined in K.S.A. 1995 Supp. 12-1675(b)(c)(d), and K.S.A. 1995 Supp. 75-4201(I) and 75-4209(a)(1)(B), as amended by 1996 Senate Bill 476.

Effective 10-21-96 through 10-27-96

Term	Rate
0-90 days	5.21%
3 months	5.12%
6 months	5.33%
9 months	5.51%
12 months	5.59%
18 months	5.79%
24 months	5.90%
36 months	6.10%
48 months	6.22%

William E. Lewis
Chairman

Doc. No. 018257

State of Kansas

Department of Health
and Environment

Notice of Hearing

The Kansas Department of Health and Environment has prepared a proposed Kansas water pollution control permit, A-ARSF-CO01, for Golden Belt Feeders, located near St. John. Golden Belt Feeders operates a confined animal feeding operation and proposes to expand to 26,250 head of beef cattle. The proposed permit for Golden Belt Feeders was placed on Public Notice No. KS-AG-96-346 dated August 1-30, 1996. Significant public response to this notice and concern over the potential impact of the expansion at the facility as related to previous operational problems were expressed; therefore, a public hearing has been scheduled in conformance with K.A.R. 28-16-61.

The public hearing on KDHE's intention to issue the proposed permit will be at 7 p.m. Wednesday, December 4, at the Public Library, 406 N. Monroe, St. John.

Copies of the application, draft permit and other pertinent documents may be requested by contacting Dorothy Geisler, Kansas Department of Health and Environment, Bureau of Water, Industrial Programs Section, Forbes Field, Building 283, Topeka, 66620, (913) 296-5545 or fax (913) 296-5509. Appropriate copying charges will be assessed for each request.

Persons may comment on the proposed permit at the public hearing or may submit written statements to the above address by December 4 or such later time, if any, established by the hearing officer at the public hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed permit in an accessible format.

Requests for accommodation should be made at least five working days in advance of the hearing by contacting KDHE at the address above.

The Secretary of Health and Environment will make a final permit decision after consideration of all requirements of state statutes and regulations and of comments received during the public notice and public hearing processes.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018277

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. The City of Johnson City has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of oxides of nitrogen, carbon monoxide and sulfur dioxide were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

The City of Johnson City owns and operates a municipal power plant located at 402 S. Main, Johnson City.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Rick Bolfig, (913) 296-1576, at the KDHE central office, or Wayne Neese, (316) 225-0596, at the KDHE southwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rick Bolfig, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business November 18 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business November 18 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018264

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. The City of Norton has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of oxides of nitrogen, carbon monoxide and sulfur dioxide were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

The City of Norton owns and operates a municipal power plant located at 700 S. Johnson Drive, Norton.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE northwest district office, 2301 E. 13th, Hays. To obtain or review the proposed permit and supporting documentation, contact Douglas S. Warren, (913) 296-6281, at the KDHE central office, or Richard Robinson, (913) 625-5663, at the KDHE northwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Douglas S. Warren, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business November 18 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business November 18 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018265

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. The City of St. John has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of oxides of nitrogen, carbon monoxide and sulfur dioxide were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

The City of St. John owns and operates a municipal power plant located at 424 S. Broadway, St. John.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE southwest district office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Douglas S. Warren, (913) 296-6281, at the KDHE central office, or Wayne Neese, (316) 225-0596, at the KDHE southwest district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Douglas S. Warren, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business November 18 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business November 18 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018266

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. The City of Washington has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of oxides of nitrogen, carbon monoxide and sulfur dioxide were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

The City of Washington owns and operates a municipal power plant located at 101 Park Road, Washington.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE north central district office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Douglas S. Warren, (913) 296-6281, at the KDHE central office, or Rick Brunetti, (913) 827-9639, at the KDHE north central district office.

(continued)

The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Douglas S. Warren, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. Written comments must be received by the close of business November 18 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business November 18 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018267

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, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on 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 subject to certain conditions.

Public Notice No. KS-AG-96-655/696

Name and Address of Applicant	Legal Description	Receiving Water
Albert and Steve Winn Route 1, Box 65 Moran, KS 66755	NE/4, Sec. 16, T24S, R20E, Allen County	Neosho River Basin

Kansas Permit No. A-NEAL-M010

This is an existing facility for 75 head (105 animal units) of dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Golden Rule Farms, Inc. Jeffrey L. Claassen Route 1, Box 118 Whitewater, KS 67154	NE/4, Sec. 6, T24S, R4E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-S010

This is an existing facility for 2,150 head (860 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Waste-

water storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The 2,100 gallon slurry wagon is smaller than normally required for wastewater handling at a facility of this size. Due to the large capacity of the lagoon, increased dewatering capacity will not be required at this time. However, should monitoring show inability to maintain the facility in compliance with permit requirements, additional dewatering equipment will be required.

Name and Address of Applicant	Legal Description	Receiving Water
Willhite Farms, Inc. Curtis Willhite 10745 S.E. 55th Leon, KS 67074	SW/4, Sec. 34, T26S, R7E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-S028

This is an existing facility for 960 head (384 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

Name and Address of Applicant	Legal Description	Receiving Water
R.L. McCulloch 215 N.W. Diamond Road Towanda, KS 67144	SE/4, Sec. 31, T25S, R4E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-S022

This is an existing facility for 350 head (140 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 each year the concrete manure pit(s) shall have a minimum of 120 days of storage available.

Name and Address of Applicant	Legal Description	Receiving Water
W.J., Inc. Wesley Bittel 2197 130th Ave. Ellis, KS 67637	NE/4, Sec. 21, T12S, R20W, Ellis County	Smoky Hill River Basin

Kansas Permit No. A-SHEL-C004 Federal Permit No. KS-0091359

This is a new facility for 4,999 head (4,999 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE 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 for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Post Feed Yard Danny D. Post 10629 Valley Road Dodge City, KS 67801	NW/4, Sec. 19, T28S, R25W, Ford County	Upper Arkansas River Basin

Kansas Permit No. A-UAFO-CD01 Federal Permit No. KS-0088129

This is an existing facility for 2,500 head (2,500 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: No additional requirements are imposed at this time; however, this permit is contingent upon monitoring results showing satisfactory wastewater treatment performance. Should effluent monitoring results show unacceptable pollutant concentrations, upgraded wastewater treatment will be required. Should effluent monitoring results show consistently adequate wastewater treatment, monitoring requirements may be reduced.

Name and Address of Applicant	Legal Description	Receiving Water
Leslie Wakeman, Jr. Wakeman Feedyard 12959 104 Road Fowler, KS 67844	SE/4, Sec. 34, T29S, R26W, Ford County	Cimarron River Basin

Kansas Permit No. A-CIFO-C003 Federal No. KS-0080527

This is an existing facility for 2,500 head (2,500 animal units) of cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Thad Wolf Route 1, Box 118 Quinter, KS 67752	SE/4, Sec. 22, T12S, R26W, Gove County	Smoky Hill River Basin

Kansas Permit No. A-SHGO-M001

This is an existing facility of 50 head (70 animal units) of dairy cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

Name and Address of Applicant	Legal Description	Receiving Water
Evans Cattle, Inc. Larry J. Evans HCR 1, Box 18A Gove, KS 67736	SW/4, Sec. 34, T14S, R28W, Gove County	Smoky Hill River Basin

Kansas Permit No. A-SHGO-C001 Federal Permit No. KS-0039501

This is an existing facility for 1,500 head (1,500 animal units) of cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Hanser Dairy John C. Hanser 210 N. Frank Spring Hill, KS 66083	NW/4, Sec. 13, T15S, R23E, Johnson County	Marais des Cygnes River Basin

Kansas Permit No. A-MCJO-M001

This is an existing facility for 100 head (140 animal units) of dairy cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The open lot located southwest of the residence which has a stream flowing through shall not be utilized for confinement of livestock.

Name and Address of Applicant	Legal Description	Receiving Water
Cal-An Farms Calvin Meyer 14175 Leavenworth Road Basehor, KS 66007	N/2, Sec. 36, T10S, R22E, Leavenworth County	Kansas River Basin

Kansas Permit No. A-KSLV-M002

This is an existing facility for 200 head (280 animal units) of dairy cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

Name and Address of Applicant	Legal Description	Receiving Water
Thomas Dairy Roland and Ron Thomas Route 1, Box 114 Centerville, KS 66014	NW/4, Sec. 36, T21S, R22E, Linn County	Marais des Cygnes River Basin

Kansas Permit No. A-MCLN-M001

This is an existing facility for 225 head (315 animal units) of dairy cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Richard Mather 2420 U.S. 83 Oakley, KS 67748	NW/4, Sec. 2, T12S, R32W, Logan County	Smoky Hill River Basin

Kansas Permit No. A-SHLG-B001

This is an existing facility for 600 head (600 animal units) of cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Jenny Lee Plenert Route 2, Box 278 Hillsboro, KS 67063	SE/4, Sec. 14, T19S, R2E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-M003

This is an existing facility for 150 head (210 animal units) of dairy cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Wedel Hogs Cyrus Wedel 2218 Overland Road Galva, KS 67443	SW/4, Sec. 35, T18S, R2W, McPherson County	Smoky Hill River Basin

Kansas Permit No. A-SHMP-S006

This is an existing facility for 400 head (160 animal units) of swine.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Dekalb Swine Breeders, Inc. Farm 10 Finishing 23179 #5 Road Plains, KS 67869	N/2, Sec. 16, T34S, R30W, Meade County	Cimarron River Basin

Kansas Permit No. A-CIME-H002 Federal Permit No. KS-0088200

This is an existing facility for 3,240 head (1,296 animal units) of swine.

(continued)

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: Land application of livestock wastes shall be based on nutrient analyses of waste and soils at the application site. Nutrient analyses shall be available to the department upon request.

Name and Address of Applicant	Legal Description	Receiving Water
Robert B. Rose Route 2, Box 67 Council Grove, KS 66846	SW/4, Sec. 6, T15S, R8E, Morris County	Neosho River Basin

Kansas Permit No. A-NEMR-S012

This is an existing facility for 500 head (200 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

On December 1 of each year the concrete manure pit(s) shall have a minimum of 120 days of storage available.

Name and Address of Applicant	Legal Description	Receiving Water
Clark Strahm Blue Ridge Farm, Inc. Route 4, Box 118 Sabetha, KS 66534	Sec. 9 & 16, T2S, R14E, Nemaha County	Kansas River Basin

Kansas Permit No. A-KSNM-B001

This is an existing facility of 500 head (400 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year the concrete manure pit shall have a minimum of 120 days of storage available.

Name and Address of Applicant	Legal Description	Receiving Water
Wessel Dairy Robert Wessel Route 3, Box 141A Seneca, KS 66538	SW/4, Sec. 27, T3S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-M002

This is an existing facility for 50 head (70 animal units) of dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Hartter Dairy, Inc. Route 1, Box 91 Bern, KS 66408	NW/4, Sec. 26, T1S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-M008

This is an existing facility for 125 head (175 animal units) of dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

Name and Address of Applicant	Legal Description	Receiving Water
Winkler Farms, Inc. Wayne Winkler Route 1, Box 45 Oneida, KS 66522	Sec. 3 & 4, T3S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S033

This is an existing facility for 350 head of swine (140 animal units) and 100 head of cattle (100 animal units).

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

On December 1 of each year the concrete manure pit(s) shall have a minimum of 120 days of storage available.

Name and Address of Applicant	Legal Description	Receiving Water
Ronald Korber Route 1 Bern, KS 66408	SW/4, Sec. 13, T1S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S009

This is an existing facility for 950 head (380 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

On December 1, of each year the concrete manure pit(s) shall have a minimum of 120 days of storage available.

Name and Address of Applicant	Legal Description	Receiving Water
Triple S Dairy John Stich P.O. Box 29, Route 1 Thayer, KS 66776	SW/4, Sec. 11, T29S, R17E, Neosho County	Neosho River Basin

Kansas Permit No. A-NENO-M009

This is an existing facility for 120 head (168 animal units) of dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Upland Pork Route 2, Box 10 Long Island, KS 67467	NE/4, Sec. 1, T1S, R21W, Norton County	Upper Republican River Basin

Kansas Permit No. A-URNT-H001 Federal Permit No. KS-0088323

This is an expansion facility for 15,356 head (3,064 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: A livestock waste management plan developed by Agricultural Engineering Associates shall be adhered to as a condition of this permit. The plan covers, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes.

Name and Address of Applicant	Legal Description	Receiving Water
R & L Feeders Richard Winder 1018 W. 160th Drive Osborne, KS 67473	SW/4, Sec. 21, T8S, R12W, Osborne County	Solomon River Basin

Kansas Permit No. A-SOQB-C001 Federal Permit No. KS-0085847

This is an existing facility for 3,000 head (3,000 animal units) of cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
David Crosson 915 Rifle Road Minneapolis, KS 67467	SW/4, Sec. 21, T9S, R4W, Ottawa County	Solomon River Basin

Kansas Permit No. A-SOOT-S001

This is an existing facility for 300 head (120 animal units) of swine.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

Name and Address of Applicant	Legal Description	Receiving Water
Daniel L. Catlin 2313 N. 230th Road Miltonvale, KS 67466	NE/4, Sec. 2, T9S, R2W, Ottawa County	Smoky Hill River Basin

Kansas Permit No. A-SHOT-S001

This is an existing facility for 160 head (64 animal units) of swine.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year the concrete manure pit(s) shall have a minimum of 120 days of storage available.

Name and Address of Applicant	Legal Description	Receiving Water
Donald Koster 532 K106 Minneapolis, KS 67467	SE/4, Sec. 26, T12S, R3W, Ottawa County	Saline River Basin

Kansas Permit No. A-SAOT-S001

This is an existing facility of 500 head (200 animal units) of swine.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year the concrete manure pit(s) shall have a minimum of 120 days of storage available.

Name and Address of Applicant	Legal Description	Receiving Water
Leon Sylvester 4605 Glenn Road Wamego, KS 66547	Sec. 11, T10S, R10E, Pottawatomie County	Kansas River Basin

Kansas Permit No. A-KSFT-S010

This is an existing facility for 420 head (168 animal units) of swine.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Glen O. Strnad Strnad Hog Farms 10 N. Main and Buckeye Munden, KS 66959	SE/4, Sec. 35, T1S, R2W, Republic County	Big Blue River Basin

Kansas Permit No. A-BBRP-S005

This is an existing facility for 160 head (64 animal units) of swine.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

Name and Address of Applicant	Legal Description	Receiving Water
Gerald Karber 11108 S. Kipp Road Gypsum, KS 67448	NE/4, Sec. 29, T16S, R1W, Saline County	Smoky Hill River Basin

Kansas Permit No. A-SHSA-M002

This is an existing facility for 80 head (112 animal units) of dairy cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

Name and Address of Applicant	Legal Description	Receiving Water
Jay Hays 435 N. 279th St. West Garden Plain, KS 67050	NE/4, Sec. 20, T27S, R3W, Sedgwick County	Lower Arkansas River Basin

Kansas Permit No. A-ARSG-M009

This is a new facility for 700 head (980 animal units) of dairy cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with application to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied to not greater than 1.0 acre inch per acre per year and solids shall be applied at not greater than 7.2 ton per acre.

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 348 gallons per minute and dispersing the wastewater over 106 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
Edward J. Goetz Route 2, Box 23 Grainfield, KS 67737	SW/4, Sec. 28 T9S, R28W, Sheridan County	Saline River Basin

Kansas Permit No. A-SASD-S001

This is an existing facility for 980 head (392 animal units) of swine.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage

(continued)

structures are reserved for structure protection and are not to be considered for storage.

Name and Address of Applicant	Legal Description	Receiving Water
Ostmeier Feedyard, Inc. 766 CR 37 Oakley, KS 67748	Sec. 5, T10S, R30W, Sheridan County	Saline River Basin

Kansas Permit No. A-SASD-B009

This is a new facility for 980 head (980 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE 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 for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Sealock Farm Route 2, Box 127 Hoxie, KS 67740	SE/4, Sec. 7, T8S, R28W, Sheridan County	Solomon River Basin

Kansas Permit No. A-SOSD-B004

This is a new facility for 300 head (300 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE 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 for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Dewatering and disposal equipment capable of providing 105 gpm shall be obtained within six months after the issuance of this permit through purchase, rental, or custom application agreement.

Written verification of the acquisition of the pumping equipment shall be submitted to this department.

Name and Address of Applicant	Legal Description	Receiving Water
Kathy A. Beckmann Route 2, Box 171 Smith Center, KS 66967	SW/2, Sec. 15, T2S, R14W, Smith County	Solomon River Basin

Kansas Permit No. A-SOSM-S021

This is an existing facility for 150 head (60 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Raegan and Todd Kirchoff Box 176 Cedar, KS 67628	SW/4, Sec. 31, T4S, R14W, Smith County	Solomon River Basin

Kansas Permit No. A-SOSM-B004

This is an existing facility for 950 head (950 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: On December 1 of each year water pollution control facilities shall have a minimum of 120 days of wastewater and rainfall storage available. The uppermost two feet of the storage structures are reserved for structure protection and are not to be considered for storage.

Name and Address of Applicant	Legal Description	Receiving Water
Leland Werth Box 104 Ellis, KS 67637	NE/4, Sec. 18, T13S, R21W, Trego County	Smoky Hill River Basin

Kansas Permit No. A-SHTR-B003

This is an existing facility for 800 head (800 animal units) of cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE 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 for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Frey Jersey Farm Michael Frey Route 1, Box 59 Wamego, KS 66547	SW/4, Sec. 11, T11S, R102E, Wabaunsee County	Kansas River Basin

Kansas Permit No. A-KSWB-M004

This is an existing facility for 50 head (70 animal units) of dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Mona McDuffett McDuffett Farms Route 1, Box 56 Alma, KS 66401	NE/4, Sec. 8, & SW/4, Sec. 9, T13S, R9E, Wabaunsee County	Kansas River Basin

Kansas Permit No. A-KSWB-S003

This is an existing facility for 2,400 head (960 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Mahoney Dairy Edward and Judy Mahoney Route 1, Box 116 Council Grove, KS 66846	SE/4 & NE/4, Sec. 13, T15S, R9E, Wabaunsee County	Neosho River Basin

Kansas Permit No. A-NEWB-M001

This is an existing facility for 100 head (140 animal units) of dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: None, existing controls adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Fairview Farm, Inc. Route 1, Box 82 Harveyville, KS 66431	NW/4, Sec. 5, T15S, R13W, Wabaunsee County	Marais des Cygnes River Basin

Kansas Permit No. A-MCWB-S001

This is an existing facility for 1,200 head (480 animal units) of swine. Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements. Compliance Schedule: None, existing controls adequate.

Public Notice No. KS-96-271/273

Name and Address of Applicant	Waterway	Type of Discharge
City of St. Marys City Hall P.O. Box 146 St. Marys, KS 66536	Kansas River via Doyle Creek	Treated domestic wastewater
Kansas Permit No. M-KS67-0001 Federal Permit No. KS-0020974		
Location: SW¼, S9, T10S, R12E, Pottawatomie County		

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility treating domestic wastewater. The proposed permit contains a schedule of compliance requiring the permittee to provide a plan and schedule to meet the final permit limits. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Hunt Midwest Mining, Inc. Princeton Quarry P.O. Box 12659 Kansas City, MO 64116	Marais des Cygnes River via Middle Creek	Quarry dewatering and stormwater
Kansas Permit No. I-MC38-PO01 Federal Permit No. KS-0080403		
Location: NW¼, S24, T18S, R19E, Franklin County		

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing quarry. This is a limestone quarrying and crushing operation with no washing. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
KPL-Western Resources Jeffrey Energy Center Attn: Tom Brown 818 Kansas Ave. Topeka, KS 66612	Kansas River via Lost Creek via unnamed tributary	Treated domestic process and storm wastewater
Kansas Permit No. I-KS67-PO02 Federal Permit No. KS-0080632		
Location: S½, S7, T9S, R12E, Pottawatomie County		

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment complex. This facility generates electric power with high pressure steam produced by fossil fuel. Domestic wastewater is directed to a nondischarging lagoon. Cooling water from cooling towers, demineralizer regenerate and softener backwash, boiler blowdown, stormwater and various miscellaneous wastewater streams are directed through sedimentation ponds prior to discharge. Maximum daily discharge is about 2.96 million gallons of wastewater mainly from the cooling towers. The effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based.

Public Notice No. KS-ND-96-072/074

Name and Address of Applicant	Legal Location	Type of Discharge
Essex Group, Inc. Hoisington Facility Route 1, Highway 4 East Hoisington, KS 67544	NE¼, S4, T18S, R13W, Barton County	Nonoverflowing
Kansas Permit No. I-AR45-NO02		

Facility Description: The proposed permit is for issuance of an existing permit for operation of an existing nonoverflowing wastewater treatment lagoon. This facility manufactures telephone cables by drawing copper rod and coating the wire with plastic through an extrusion process. The facility has a "Bentomat" lined pond to hold recirculating noncontact cooling water. The contact cooling water has a

closed loop system. All domestic wastewater is discharged to a sanitary sewer. The cooling water is also used for fire training and about 3,000 gallons/month are used to flush the facility's fire suppression system.

Name and Address of Applicant	Legal Location	Type of Discharge
Northern Natural Gas Co. Holcomb Comp. Station P.O. Box 1188 Houston, TX 77251	S3, T24s, R34W, Finney County	Nonoverflowing
Kansas Permit No. I-UA18-NP01		

Facility Description: The proposed permit is for issuance of an existing permit for operation of an existing nonoverflowing wastewater treatment lagoon. Wastewater is currently directed through an oil water separator to an aboveground tank and then is hauled to a Class II disposal well. The existing earthen lagoons are in the process of being closed. Domestic sewage is directed to a septic tank-lateral field system. About 16,500 gallons per month of wastewater are generated.

Name and Address of Applicant	Legal Location	Type of Discharge
Northern Natural Gas Co. Sublette Comp. Station Route 1 Kismet, KS 67859	S1, T32S, R33W, Seward County	Nonoverflowing
Kansas Permit No. I-CI09-NP01		

Facility Description: The proposed permit is for issuance of an existing permit for operation of an existing nonoverflowing wastewater treatment lagoon. Wastewater is currently directed through an oil water separator to an aboveground tank and then is hauled to a Class II disposal well. The existing earthen lagoons are in the process of being closed. Domestic sewage is directed to a septic tank-lateral field system. About 30,000 gallons per month of wastewater are generated.

Notice No. KS-EG-96-065/074

Name and Address of Applicant	Well Location
Vulcan Materials Co. Wichita Facility P.O. Box 12283 Wichita, KS 67277-2283	
Well No. J-36 KS Permit No. KS-03-173-056	SW¼ SE¼ SE¼ S24, T29S, R3W Sedgwick County 25' fsl and 892' fel from SE Corner of Section
Well No. J-37 KS Permit No. KS-03-173-057	SW¼ SE¼ SE¼ S24, T29S, R3W Sedgwick County 209' fsl and 720' fel from SE Corner of Section
Well No. J-38 KS Permit No. KS-03-173-058	NW¼ NE¼ NE¼ S25, T29S, R3W Sedgwick County 5111' fsl and 786' fel from SE Corner of Section
Well No. J-39 KS Permit No. KS-03-173-059	NW¼ NE¼ NE¼ S25, T29S, R3W Sedgwick County 5096' fsl and 1136' fel from SE Corner of Section
Well No. J-40 KS Permit No. KS-03-173-060	SW¼ SE¼ SE¼ S24, T29S, R3W Sedgwick County 195' fsl and 1069' fel from SE Corner of Section
Well No. J-41 KS Permit No. KS-03-173-061	NW¼ SE¼ SE¼ S24, T29S, R3W Sedgwick County 874' fsl and 910' fel from SE Corner of Section
Well No. J-42 KS Permit No. KS-03-173-062	NW¼ SE¼ SE¼ S24, T29S, R3W Sedgwick County 1054' fsl and 736' fel from SE Corner of Section

(continued)

Well No. J-43
KS Permit No. KS-03-173-063
NW¼ SE¼ SE¼ S24, T29S, R3W Sedgwick County
708' fsl and 730' fel from SE Corner of Section

Well No. J-44
KS Permit No. KS-03-173-064
NW¼ SE¼ SE¼ S24, T29S, R3W Sedgwick County
688' fsl and 1089' fel from SE Corner of Section

Well No. J-45
KS Permit No. KS-03-173-065
NW¼ SE¼ SE¼ S24, T29S, R3W Sedgwick County
1039' fsl and 1091' fel from SE Corner of Section

Facility Description: Draft permits have been prepared for the continued use of salt-solution mining wells located within the state of Kansas for the applicant described above.

Written comments on the draft permits must be submitted to the attention of Lisa Duncan for agricultural permits or to the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments post-marked or received by November 15 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-96-655/696, KS-96-271/273, KS-ND-96-072/074, KS-EG-96-065/074) 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 determination. 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 for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The applications, proposed permits, 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 283, Forbes Field, Topeka, from 8 a.m. to 5 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.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018279

State of Kansas

**Department of Administration
Division of Architectural Services**

**Notice of Commencement of
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations for "on-call" environmental engineering services for Kansas State University. The selected firm will need to show experience with identification, assessment, programming, design and remediation of hazardous substances typically found in building construction. Experience with buried tank technology and remediation, the clean water/air acts, Phase I and II inspections and Title V reviews is also required.

For information regarding the scope of services, contact Lee McQueen, Associate Director of Facilities Planning, Kansas State University, (913) 532-6377.

If interested, an original and six copies of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (913) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes by 5 p.m. November 1.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 018282

(Published in the Kansas Register, October 17, 1996.)

**Summary Notice of Bond Sale
City of Altamont
Labette County, Kansas
General Obligation Fire Equipment Bonds
Series 1996**

(General obligation bonds payable from
unlimited ad valorem taxes)

Details of Sale

Subject to the terms and conditions of the official notice of bond sale dated as of October 14, 1996, and the preliminary official statement dated October 15, 1996, in connection with the bonds hereinafter described, sealed, written bids for the purchase of the General Obligation Fire Equipment Bonds, Series 1996, of the city shall be received by the governing body of the City of Altamont, Labette County, Kansas, at the office of the City Clerk, City Hall, 407 Hudson, Altamont, KS 67330, until 7 p.m. Monday, October 28, 1996, on which date and at which time all bids shall be presented to the governing body of the city at its regular meeting place at City Hall. All bids shall be publicly opened, read aloud, and considered on

said date and at said time and shall be immediately thereafter acted upon by the governing body of the city.

The bonds to be sold are in the aggregate principal amount of \$150,000. No oral or auction bid for the bonds shall be considered, and no bid for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk. Bids may be submitted by mail or may be delivered in person and must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States, shall be made payable to the order of the city, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds shall be issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, not exceeding the principal amount of bonds maturing in any year. The bonds shall bear a dated date of November 1, 1996. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds.

Interest on the bonds shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 1997, and the bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$10,000	9/01/1999
\$10,000	9/01/2000
\$10,000	9/01/2001
\$10,000	9/01/2002
\$10,000	9/01/2003
\$10,000	9/01/2004
\$10,000	9/01/2005
\$10,000	9/01/2006
\$10,000	9/01/2007
\$15,000	9/01/2008
\$15,000	9/01/2009
\$15,000	9/01/2010
\$15,000	9/01/2011

Redemption

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

Payment of Principal and Interest

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

Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and

resources of the city shall be pledged to the payment thereof. The city shall be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about Wednesday, November 20, 1996, at such bank or trust company in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Bonwell, Foster, Borniger & Ellis, Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The equalized assessed valuation of the city for computation of bonded debt limitations for the year 1995 is \$2,274,326. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$173,000.

Official Statement

The city has prepared a preliminary official statement, dated as of October 15, 1996, relating to the bonds. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered at the successful bidder's expense.

Additional Information

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the City Clerk, 407 Hudson, Altamont, KS 67330, (316) 784-5612; or from the city's financial advisors, Cooper, Malone, McClain, 100 N. Main, Suite 510, Wichita, KS 67202, Attention Brian Corrigan, 1-800-657-5730 or (316) 264-2400.

City of Altamont
Labette County, Kansas

Doc. No. 018286

(Published in the Kansas Register October 17, 1996.)

**Summary Notice of Bond Sale
City of Manhattan, Kansas**

\$2,929,000

**General Obligation Bonds
Series 200**

\$607,000

**General Obligation Airport Bonds
Series 201**

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

Sealed Bids

Subject to the notice of bond sale dated October 17, 1996, sealed bids will be received by the clerk of the City of Manhattan, Kansas (the issuer), on behalf of the governing body at City Hall, 1101 Poyntz Ave., Manhattan, KS 66502, until 4 p.m. November 5, 1996, for the separate purchase of: (a) \$2,929,000 principal amount of General Obligation Bonds, Series 200, and (b) \$607,000 principal amount of General Obligation Airport Bonds, Series 201 (jointly, the bonds). No bid of less than 98.5 percent of the principal amount 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, except one Series 200 Bond in the denomination of \$4,000 and one Series 201 Bond in the denomination of \$7,000. The bonds will be dated November 1, 1996, and will become due on November 1 in the years as follows:

**Series 200
(Bank Qualified)**

Year	Principal Amount
1997	\$184,000
1998	195,000
1999	200,000
2000	215,000
2001	225,000
2002	235,000
2003	250,000
2004	260,000
2005	270,000
2006	285,000
2007	45,000
2008	50,000
2009	55,000
2010	55,000
2011	60,000
2012	60,000
2013	65,000
2014	70,000
2015	75,000
2016	75,000

**Series 201
(Non Bank Qualified—Subject to AMT)**

Year	Principal Amount
1997	\$27,000
1998	30,000
1999	30,000

2000	30,000
2001	35,000
2002	35,000
2003	40,000
2004	40,000
2005	40,000
2006	45,000
2007	45,000
2008	50,000
2009	50,000
2010	55,000
2011	55,000

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 semiannually on May 1 and November 1 in each year, beginning May 1, 1997.

Optional Book-Entry-Only System

The successful bidder may elect to have either series of bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a qualified financial surety bond in the amount of \$58,580 for the Series 200 Bonds and \$12,140 for the Series 201 Bonds (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 December 12, 1996, at DTC for the account of the successful bidder or 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 1996 is \$199,152,284. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$32,694,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (913) 587-2489, or from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351.

Dated October 17, 1996.

City of Manhattan, Kansas

Doc. No. 018285

(Published in the Kansas Register October 17, 1996.)

Summary Notice of Bond Sale
\$1,290,000
Principal Amount
General Obligation Airport Bonds
Series 1996A
City of Wichita, Kansas

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

Subject to the terms and conditions of the complete official notice of bond sale dated October 15, 1996, of the City of Wichita, Kansas, in connection with the city's hereinafter described General Obligation Airport Bonds, sealed, written bids for the purchase of the bonds shall be received at the office of the mayor, first floor, City Hall, 455 N. Main, Wichita, Kansas, until 10:30 a.m. Tuesday, October 29, 1996. All bids shall be publicly opened and read aloud on said date and at said time and place. The bids will be considered and the bonds will be awarded by the city council in the city council chambers, City Hall, at 11:30 a.m. October 29, 1996.

No oral or auction bid for the bonds shall be considered, and no bid for less than the entire principal amount of the bonds shall be considered. Bids will be accepted only on the official bid form which has been prepared for the bonds, and which may be obtained from the office of the director of finance. Bids may be submitted by mail or may be delivered in person, but must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Description of the Bonds

The bonds shall be issued as fully registered bonds in denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount maturing in each year. The bonds shall bear a dated date of November 1, 1996, and shall bear interest, payable semiannually on March 1 and September 1 of each year, commencing March 1, 1997, at the rates specified by the successful bidder. The bonds will be issued in the aggregate principal amount of \$1,290,000, and shall mature serially on September 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$ 75,000	1997
75,000	1998
80,000	1999
85,000	2000
90,000	2001
95,000	2002
100,000	2003
105,000	2004
110,000	2005

115,000	2006
65,000	2007
70,000	2008
70,000	2009
75,000	2010
80,000	2011

Paying Agent and Bond Registrar; Payment of Principal and Interest

The Chase Manhattan Bank, N.A., New York, New York, shall serve as bond registrar and paying agent for the bonds. Interest will be payable by check or draft of the paying agent mailed to the registered owners of the bonds. Principal will be payable upon surrender of bonds to the paying agent.

Optional Book-Entry

The successful bidder for the bonds may elect to have the bonds registered under a book-entry system administered through the Depository Trust Company, New York, New York.

Redemption

Certain of the bonds are subject to redemption prior to maturity. (Reference is made to the official notice of bond sale.)

Delivery

The bonds, duly printed, executed and registered, shall be delivered at the expense of the city to the successful bidder on or about November 21, 1996. (Reference is made to the official notice of bond sale.)

Legal Opinion

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

Security

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

Ratings

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

Financial Matters

The city's equalized assessed tangible valuation for computation of bonded debt limitations is \$1,803,873,557. The total outstanding general obligation bonded indebtedness of the city at November 1, 1996, not including this issue of bonds, will be \$351,580,000. This amount also does not include the city's \$1,550,000 aggregate principal amount of General Obligation Airport Improvement and Renewal Temporary Notes to be offered for sale on the same date as the bonds.

Official Statement

The city has authorized and directed preparation of a preliminary official statement dated October 15, 1996, in connection with the bonds. Said preliminary official state-

(continued)

ment is in a form "deemed final" by the city for purposes of the Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Not later than seven business days after the date of the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without cost.

Continuing Disclosure

The city has adopted an ordinance establishing a master undertaking to provide ongoing disclosure concerning the city in connection with its general obligation bonds for the benefit of owners of the bonds, as required under Section (b)(5)(i) of the Securities and Exchange Commission Rule 15c2-12. The ordinance is included as an appendix to the preliminary official statement. A certified copy of the ordinance will be delivered to the successful bidder at or prior to delivery of the bonds. The city is in compliance with the requirements of the ordinance at the date hereof.

Additional Information

Copies of the official notice of bond sale, official bid form and preliminary official statement may be obtained from the city's Department of Finance, City Hall, 12th Floor, 455 N. Main, Wichita, KS 67202-1679, Attn: Allen Bell, Financial Projects Director, (316) 267-4434.

City of Wichita, Kansas
By Pat Burnett, City Clerk

Doc. No. 018273

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Monday, November 4, in the conference room of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bonds for the projects numbered below, in the respective maximum principal amount. Each bond will be issued to assist the respective borrower (who will be the owner and operator of the respective project) to finance the cost in the amount of the bond of acquiring the respective project or for the purpose of refunding a bond previously issued to finance the respective project. Each project shall be located as shown:

Project No. 000313, Maximum Principal Amount: \$78,000. Owner/Operator: Thomas J. Wirth. Description: Acquisition of 240 acres of agricultural land, and related improvements and equipment to be used by the owner/operator for farming purposes. Location: Section 34, Battle Creek Township, Lincoln County, Kansas; approximately 4½ miles north of Lincoln, Kansas, on Highway 14 then 3 miles west on gravel road and 1 mile north on gravel road.

Project No. 000314, Maximum Principal Amount: \$90,000. Owner/Operator: Dale R. Hanchett II. Description: Acquisition of 240 acres of agricultural

land, and related improvements and equipment to be used by the owner/operator for farming purposes. Location: Sections 10 and 11, Belmont Township, Phillips County, Kansas; approximately 2 miles north and 1 mile west of Speed, Kansas.

Project No. 000315, Maximum Principal Amount: \$55,228. Owner/Operator: Gerald and Teri Jo Hiitter. Description: Acquisition of 160 acres of agricultural land, and related improvements and equipment to be used by the owner/operator for farming purposes. Location: Section 3, Goldenbelt Township, Lincoln County, Kansas; approximately 7 miles south of Vesper and 1½ miles west on gravel road.

Project No. 000316, Maximum Principal Amount: \$61,734. Owner/Operator: John C. Moore. Description: Acquisition of 160 acres of agricultural land, and related improvements and equipment to be used by the owner/operator for farming purposes. Location: Section 17, Morris Township, Sumner County, Kansas; approximately 6 miles south and ½ mile west of Argonia, Kansas.

Project No. 000317, Maximum Principal Amount: \$70,000. Owner/Operator: Jason L. Bartel. Description: Acquisition of 160 acres of agricultural land, and related improvements and equipment to be used by the owner/operator for farming purposes. Location: Section 1, Lehigh Township, Marion County, Kansas; approximately 5 miles north of Hillsboro, Kansas, on Highway 15 and 2½ miles west on an unmarked gravel road.

Each bond, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the Authority, nor will it be an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. Each bond will be payable solely and only from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on each bond as and when it shall become due.

All individuals at the hearing will be given an opportunity to express their views for or against the proposal to issue any specific bond for the purpose of financing the respective project, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding any of the projects described above may be obtained by contacting the Authority.

Any individual affected by any of the above described projects may, at or prior to the scheduled hearing, file a written request with the Authority that a local hearing be held on the proposal to issue a bond to finance said project. A local hearing, if requested, would be conducted in the county where the project in question is located.

Wm. F. Caton
President

Doc. No. 018287

State of Kansas

Pooled Money Investment Board

Temporary Administrative
Regulations

Article 3.—INVESTMENT OF STATE MONEYS

122-3-11. Commercial paper. (a) The director of investments may invest up to 50 percent of the pooled money investment portfolio in the types of commercial paper authorized by K.S.A. 1995 Supp. 75-4209(a)(2)(E), as amended by L. 1996, Ch. 254. No more than 10 percent of the pooled money investment portfolio shall be invested in commercial paper of any single business entity. The limitations of this subsection shall be applicable only at the time investments are made in commercial paper, and such limitations shall not be construed to require the sale of any commercial paper properly acquired.

(b) By written and published policies, the above limitations on investments in commercial paper may be further restricted by the board.

(c) For purposes of computing the limitation on investments in commercial paper, the pooled money investment portfolio shall be comprised solely of investments made pursuant to subsection (a), (c) and (d) of K.S.A. 1995 Supp. 75-4209, as amended by L. 1996, Ch. 254, and K.S.A. 1995 Supp. 75-4262, including interest receivable on such investments. (Authorized by and implementing K.S.A. 1995 Supp. 75-4209, as amended by L. 1996, Ch. 254, Sec. 17; effective, T-122-6-19-96, June 19, 1996; amended, T-122-10-1-96, Oct. 1, 1996.)

William E. Lewis
Chairman

Doc. No. 018271

State of Kansas

Social and Rehabilitation Services

Temporary Administrative
Regulations

Article 4.—PUBLIC ASSISTANCE PROGRAM

30-4-50. Assistance eligibility, general. The requirements set forth in K.A.R. 30-4-51 through 30-4-64, inclusive, shall apply to the ADC, ADC-FC, APW, and GA programs except as noted. When an adult member of a family group has received assistance under one or more of the following programs for any 60 calendar months beginning on and after October 1, 1996, the family group shall not be provided with further assistance under any of these programs:

- (1) ADC;
- (2) APW;
- (3) EA; or

(4) GA, when eligibility was based on the criteria of K.A.R. 30-4-90(a)(2)(A) and (D).

Certain eligibility requirements may be waived by the secretary and additional eligibility requirements for all, or designated areas, of the state may be adopted by the secretary for the purpose of utilizing special project funds or grants or for the purpose of conducting special dem-

onstration or research projects. (Authorized by K.S.A. 1995 Supp. 39-708c, as amended by L. 1996, Ch. 229, Sec. 104; implementing K.S.A. 1995 Supp. 39-719b, K.S.A. 1995 Supp. 39-708c, as amended by L. 1996, Ch. 229, Sec. 104, K.S.A. 1995 Supp. 39-709; effective May 1, 1981; amended May 1, 1983; amended, T-30-7-29-88, July 29, 1988; amended Sept. 26, 1988; amended Oct. 1, 1989; amended, T-30-10-1-96, Oct. 1, 1996.)

Rochelle Chronister
Secretary of Social and
Rehabilitation Services

Doc. No. 018272

State of Kansas

Board of Indigents'
Defense ServicesPermanent Administrative
Regulations

Article 3.—APPOINTED ATTORNEYS

105-3-2. Eligibility to serve. (a) Each licensed attorney engaged in private practice of law shall be eligible to serve on the panel if the following criteria are met:

(1) Each attorney on the voluntary panel representing an indigent defendant shall have completed 12 hours of continuing legal education in the area of criminal law or have graduated from an accredited law school during the three years immediately before appointment.

(2) Each attorney assigned to the defense of any class B or C felony or any felony classified as a non-drug grid offense with a severity level of 3 or 4, or any felony classified as a drug grid offense with a severity level of 1, 2 or 3 shall have tried to a verdict, either as defense counsel or prosecutor, five or more felony jury trials.

(3) Each attorney assigned to the defense of any class A felony or any felony which is classified as an off-grid offense or a non-drug grid offense with a severity level of 1 or 2 shall have tried to a verdict, either as defense counsel or prosecutor, five or more jury trials involving the following:

(A) class A, B or C felonies;

(B) non-drug offenses of severity levels 1 through 4 or drug grid offenses of severity levels 1 through 3; or

(C) any off-grid offenses.

(4) Each attorney on the voluntary panel shall have completed at least two hours of continuing legal education in the area of sentencing guidelines.

(5) Each attorney assigned or appointed to the defense of any indigent person accused of a capital felony shall be a prequalified death penalty attorney. The capital coordinator shall screen each attorney to determine the attorney's qualifications to serve as defense counsel to an indigent person accused of a capital felony, pursuant to these regulations and "Guideline 5.1, Attorney Eligibility," as published in the February 1989 version of the American Bar Association (ABA) "Guidelines for the Appointment and Performance of Counsel in Death Penalty Cases" and shall certify each attorney who is eligible to serve on the capital appointments panel.

(continued)

(6) To ensure compliance with these regulations in homicide cases, each attorney assigned or appointed to the defense of any indigent person accused of a capital felony or a homicide pursuant to K.S.A. 21-3401, 21-3402 or 21-3403 shall be appointed from panel lists screened pursuant to these regulations and approved by the capital coordinator.

(b) Except for appointment of an attorney to provide representation for an indigent person accused of a capital felony or a homicide pursuant to K.S.A. 21-3401, 21-3402 or 21-3403, the judge may waive any of the above conditions if the attorney selected by the judge has sufficient training, resources and experience to undertake the case in question. (Authorized by and implementing K.S.A. 22-4501 and 22-4522; effective May 1, 1984; amended, T-105-6-13-88, July 1, 1988; amended Nov. 1, 1988; amended Oct. 30, 1989; amended, T-105-6-15-93, June 15, 1993; amended Aug. 16, 1993; amended Nov. 1, 1996.)

105-3-12. Appointments in capital cases. (a) In each case in which the death penalty may be imposed and the defendant is unable to afford counsel, the court shall appoint counsel to represent the defendant in accordance with the system established by the board for providing legal defense services for indigent persons charged with capital felonies. Subject to K.A.R. 105-5-4, the court may appoint co-counsel from the capital appointments panel list to represent the defendant in accordance with the system established by these regulations for providing legal defense services for indigent persons charged with capital felonies.

(1) The court shall not appoint any attorney to provide representation in a capital felony without prior notice to the capital coordinator.

(2) Eligibility to serve on the capital appointments panel shall be limited to attorneys who have been screened pursuant to K.A.R. 105-3-2(a)(5).

(b) The court shall appoint counsel for any indigent person accused of homicide pursuant to K.S.A. 21-3401, 21-3402 or 21-3403 from panel lists approved by the capital coordinator. The court shall not appoint any attorney to provide representation to an indigent person accused of a felony pursuant to K.S.A. 21-3401, 21-3402 or 21-3403 without prior notice to the capital coordinator.

(c) Appeals. The court shall appoint the state appellate defender to represent an indigent defendant in each appeal of a capital felony conviction in accordance with K.A.R. 105-10-2. (Authorized by K.S.A. 22-4501, 22-4503 and 22-4522; implementing K.S.A. 22-4503, 22-4505 and 22-4522; effective Nov. 1, 1996.)

Article 4.—ENTITLEMENT TO LEGAL REPRESENTATION

105-4-2. Definition of terms. Terms used to determine eligibility for indigents' defense services shall have the following meanings: (a) Liquid assets. The defendant's liquid assets shall be defined as cash in hand, stocks and bonds, accounts at financial institutions, real property or homestead having a net value greater than \$50,000, and any other property that can be readily converted to cash, with the following exceptions:

(1) the defendant's car, clothing, and household furnishings; and

(2) any other property, except a homestead having a net value greater than \$50,000, which is exempt from attachment or levy of execution by K.S.A. 60-2301, *et seq.*

The net value of the homestead shall be the fair market value less the mortgage, other encumbrances, and the reasonable cost of sale. The net value of any property transferred after the date of the alleged commission of the offense shall be included in the determination of the defendant's liquid assets.

(b) Household income. The defendant's household income shall be defined as the defendant's income and the income of all other persons related by birth, marriage or adoption who reside with the defendant. Income shall include the total cash receipts before taxes from all resources, including money wages and the net receipts from nonfarm or farm self-employment. Further, income shall include regular payments from a governmental income maintenance program, alimony, child support, public or private pensions, annuities, and income from dividends, interest, rents, royalties, or periodic receipts from estates or trusts.

(c) The defendant's reasonable and necessary living expenses. A table shall be calculated by the board which establishes the amounts the board will allow as the defendant's reasonable and necessary expenses incurred to support the defendant and the defendant's household. The table of reasonable and necessary living expenses shall be revised by the board each time the federal poverty guidelines are revised and published in the federal register.

(d) Transfer of property.

(1) If the defendant has transferred property after the alleged commission of the offense, the court shall determine the reason for the transfer of property and whether adequate monetary consideration was received. If adequate monetary consideration was not received, the court shall presume that the transfer was made for the purpose of establishing eligibility unless the defendant furnishes clear and convincing evidence that the transfer was made exclusively for another purpose.

(2) If a transfer was made either for the purpose of establishing eligibility or without adequate monetary consideration, and the property is reconveyed to the defendant or an adjustment is made by which the defendant receives full value, the defendant shall, if otherwise qualified, be eligible to receive legal representation at state expense. (Authorized by K.S.A. 22-4504 and 22-4522; implementing K.S.A. 22-4504; effective May 1, 1984; amended Nov. 1, 1996.)

Article 5.—ATTORNEY COMPENSATION

105-5-4. Multiple attorneys. No more than one attorney shall be compensated for services rendered at the same stage of proceedings, unless the judge determines that co-counsel is essential to the accused's effective defense. (Authorized by K.S.A. 22-4507 and 22-4522; implementing K.S.A. 22-4507; effective May 1, 1984; amended Nov. 1, 1996.)

Scott B. Rothe
Acting Executive Director

Doc. No. 018263

State of Kansas

Board of Emergency Medical Services

Permanent Administrative
Regulations

Article 5.—CONTINUING EDUCATION

109-5-1. Continuing education. (a) Each applicant for certification renewal as a first responder shall have earned at least eight clock hours of documented and approved continuing education as follows.

(1) A minimum of 75% of the required eight hours shall be earned from category I or II courses, or both, as described in K.A.R. 109-1-1.

(2) A maximum of 25% of the required eight hours may be earned from category III courses, as described in K.A.R. 109-1-1.

(3) Courses from categories IV, V, VI, and VII, as described in K.A.R. 109-1-1, shall not count toward first responder continuing education credit.

(b) Each applicant for certification renewal as an emergency medical technician shall have earned at least 14 clock hours of documented and approved continuing education as follows.

(1) A minimum of 50% of the required 14 hours shall be earned from category I or II courses, or both, as described in K.A.R. 109-1-1.

(2) A maximum of 50% of the required 14 hours may be earned from category III courses, as described in K.A.R. 109-1-1.

(3) A maximum of 10% of the required 14 hours may be earned from category VII courses, as described in K.A.R. 109-1-1.

(4) Courses from categories IV, V, and VI, as described in K.A.R. 109-1-1, shall not count toward emergency medical technician continuing education credit.

(c) Each applicant for certification renewal as an emergency medical technician-intermediate shall meet the requirements for emergency medical technician certification renewal and earn at least four additional clock hours of documented and approved continuing education from category IV courses, as described in K.A.R. 109-1-1.

(d) Each applicant for certification renewal as an emergency medical technician-defibrillator shall meet the requirements for emergency medical technician certification renewal and earn at least four additional clock hours of documented and approved continuing education from category V courses, as described in K.A.R. 109-1-1.

(e) Each applicant for certification renewal as a mobile intensive care technician shall have earned at least 30 clock hours of documented and approved continuing education as follows.

(1) A minimum of 40% of the required 30 hours shall be earned from category I or II courses, or both, as described in K.A.R. 109-1-1.

(2) A maximum of 50% of the required 30 hours may be earned from category III courses, as described in K.A.R. 109-1-1.

(3) A maximum of 10% of the required 30 hours may be earned from category IV or V or VII courses, or a combination of those categories, as described in K.A.R. 109-1-1.

(4) Courses from category VI, as described in K.A.R. 109-1-1, shall not count toward mobile intensive care technician continuing education credit.

(f) Each applicant for certification renewal as an automated external defibrillation provider shall have earned at least two clock hours of documented and approved continuing education from category VIII courses, as described in K.A.R. 109-1-1. Effective January 1, 1997, automated external defibrillation providers shall not be required to obtain certification renewal.

(g) Effective January 1, 1997, the requirements in subsections (a) through (g) relating to categories of continuing education shall expire.

(h) Each applicant for certification renewal as an instructor-coordinator shall demonstrate:

(1) that the applicant is:

(A) currently certified as an attendant at or above the level at which the applicant is endorsed as an instructor-coordinator;

(B) currently licensed to practice medicine and surgery; or

(C) currently licensed as a licensed professional nurse; and

(2) that the applicant has:

(A) taught 45 contact hours per year of EMS training; or

(B) obtained a minimum of six college semester hours of credit per year from an accredited college or university in a teaching degree program or in a health care specialty; or

(C) attended a minimum of 12 contact hours of education in teaching theory or methodology as approved by the board;

(D) attended an annual instructor-coordinator workshop approved by the board; or

(E) completed a combination of these activities.

(i) Each candidate for renewal of approval as a training officer I shall demonstrate:

(1) current certification as:

(A) an emergency medical technician;

(B) an emergency medical technician-intermediate;

(C) an emergency medical technician-defibrillator;

(D) a mobile intensive care technician;

(E) a physician; or

(F) a licensed professional nurse;

(2) current appointment by the appointing authority

of:

(A) an emergency medical service;

(B) a fire department;

(C) a municipally-operated rescue squad;

(D) an educational institution; or

(E) an organization; and

(3) proof of attendance at an approved training officer I renewal workshop.

(j) Each candidate for renewal of approval as a training officer II shall demonstrate:

(1) current certification as:

(A) an emergency medical technician;

(B) an emergency medical technician-intermediate;

(C) an emergency medical technician-defibrillator;

(D) a mobile intensive care technician;

(E) a physician; or

(F) a licensed professional nurse;

(continued)

(2) current appointment by the appointing authority of:

- (A) an emergency medical service;
 - (B) a fire department;
 - (C) a municipally-operated rescue squad;
 - (D) an educational institution; or
 - (E) an organization; and
- (3) proof of attendance at an approved training officer II renewal workshop.

(k) Specific continuing education may be required by action of the board.

(l) One clock hour of continuing education credit means a minimum of 50 minutes of classroom instruction between instructor and participant.

(m) One academic credit hour shall be equivalent to 15 clock hours for the purpose of continuing education credit. Credit for auditing an academic course shall be for actual clock hours attended during which instruction was given and shall not exceed the academic credit allowed.

(n)(1) Acceptable forms of continuing education shall include the following:

- (A) academic medical courses whether taken for credit or audited;
- (B) seminars, workshops, or mini-courses oriented to the enhancement of emergency medical services practice, values, skills and knowledge;
- (C) approved-provider programs;
- (D) programs presented by approved single-program providers;
- (E) clinical training which meets the requirements of paragraph (n)(2); or
- (F) correspondence lessons which meet criteria established in paragraph (n)(3).

(2) All clinical training shall be in the form of pre-scheduled clinical training sessions. The training coordinator shall provide, to the student and the clinical training faculty, the clinical training objectives to be met during the training session. The clinical training faculty shall complete a clinical training evaluation form for each student.

(3)(A) Each student may be awarded one hour of category VII continuing education credit for each correspondence lesson completed.

(B) Each correspondence training lesson shall include an examination over the material presented. The providers of the correspondence training lesson shall provide to each student the results of the examination and a certificate of completion.

(C) Each individual using one or more correspondence training lessons for the purpose of certification renewal shall keep a copy of the certificate of completion for a minimum of two years.

(D) Credit toward certification renewal requirements shall not be given for duplicate correspondence training lessons.

(o) Each attendant, training officer I, training officer II, or instructor-coordinator shall be responsible for maintaining personal records of attendance for a minimum of two years. The attendant, training officer I, training officer II, or instructor-coordinator may be requested by the board to submit these records as part of the verification process for certification renewal. (Authorized by K.S.A. 65-6110; implementing K.S.A. 65-6111; effective, T-88-122, May 18, 1987; amended, T-88-24, July 15, 1987; amended

May 1, 1988; amended July 17, 1989; amended Feb. 3, 1992; amended Aug. 16, 1993; amended Dec. 19, 1994; amended Nov. 1, 1996.)

Article 6.—TEMPORARY CERTIFICATION

109-6-1. Minimum training requirements for temporary certification. Minimum training requirements for an applicant for temporary certification as a first responder, emergency medical technician or mobile intensive care technician shall be current certification or licensure by another state or country at a comparable level. (Authorized by and implementing K.S.A. 1995 Supp. 65-6129; effective, T-88-24, July 15, 1987; amended May 1, 1988; amended Jan. 22, 1990; amended Nov. 1, 1996.)

109-6-2. Renewal of attendant and instructor/coordinator certificate. (a) Each attendant certificate and instructor-coordinator certificate shall expire on December 31 of the year following the date of initial issuance or the last renewal unless the agency receives a sufficient application for renewal on or before January 31 immediately following expiration.

(b) An application for renewal shall be considered sufficient when:

(1) the information requested on the application form is provided in full and no additional information is required by the agency to complete the processing of the application; and

(2) a money order, cashier's check or an institutional check in the amount of the renewal fee prescribed by the board is included with the application. "Institutional check" means a negotiable instrument, warrant, payment voucher or purchase order from an ambulance service, fire department or municipality, as defined at K.S.A. 65-6112 and amendments.

(c) If the agency receives a sufficient application for renewal prior to January 31, the existing certificate shall not expire until the agency has taken final action upon the renewal application, or if the agency's action is unfavorable, until the last day for seeking judicial review of the agency's action or a later date fixed by the reviewing court.

(d) If no renewal application is received on or before January 31 immediately following expiration, or if the application is received on or before January 31 but is not sufficient, the existing certificate shall be void.

(e) Upon receipt of an insufficient renewal application, the applicant shall be notified by the agency of any deficiencies. However, if the applicant fails to correct the deficiencies on or before January 31, the existing certificate shall become void. Each corrected application for renewal shall be received by the agency no later than January 31. (Authorized by and implementing K.S.A. 1995 Supp. 65-6129 and K.S.A. 65-6129b; effective Nov. 1, 1996.)

Article 7.—FEES

109-7-1. Schedule of application fees. (a) Attendant, instructor/coordinator and ambulance service application fees are non-refundable.

- (b) First responder fees:
 - (1) examination/certification application fee \$15.00
 - (2) certification renewal application fee 10.00
 - (3) replacement card or certificate fee 10.00

- (c) Mobile intensive care technician fees:
- | | |
|---|-------|
| (1) examination/certification application fee | 65.00 |
| (2) certification renewal application fee | 15.00 |
| (3) replacement card or certificate fee | 10.00 |
- (d) EMT, EMT-I, EMT-D and EMT-I/D fees:
- | | |
|--|-------|
| (1) examination/certification application fee | 50.00 |
| (2) certification renewal application fee | 15.00 |
| (3) replacement card or certificate fee | 10.00 |
| (4) certification renewal application for dual certification as an EMT-I/D fee | 15.00 |
- (e) Instructor-coordinator fee:
- | | |
|---|-------|
| (1) examination/certification application fee | 65.00 |
| (2) certification renewal application fee | 15.00 |
| (3) replacement card or certificate fee | 10.00 |
- (f) Type I, II, II-A and V ambulance service fees:
- | | |
|---|-------|
| (1) service permit application fee | 50.00 |
| (2) vehicle license application fee | 35.00 |
| (3) replacement permit or license | 10.00 |

(g) An applicant for certification examination shall pay the prescribed examination/certification application fee to the board in addition to a fee prescribed by the national registry of emergency medical technicians, except that applicants for the EMT-I, EMT-D and instructor-coordinator certification examinations shall not pay the fee prescribed by the national registry of emergency medical technicians. Separate money orders, cashier's checks or institutional checks shall be made payable to the "Kansas Board of Emergency Medical Services" and the "National Registry of Emergency Medical Technicians."

(h) The applicant shall include the fee with the application for certification examination or certification renewal. Effective March 1, 1997, the applicant shall pay by money order, cashier's check or institutional check. An institutional check shall be a negotiable instrument, a warrant, a payment voucher or a purchase order from an ambulance service, fire department or municipality as defined by K.S.A. 65-6112 and amendments thereto.

(i) Any money order, cashier's check, or institutional check submitted to the board to pay the examination/certification fee or attendant renewal fee for more than one attendant or instructor/coordinator shall not be accepted, unless the fee amount is correct. (Authorized by and implementing K.S.A. 1995 Supp. 65-6110; effective July 1, 1990; amended Feb. 3, 1992; amended Nov. 1, 1996.)

Article 10.—CURRICULA

109-10-1. Curriculum approval. (a) The approved curriculum for first responder initial courses of instruction shall be the United States department of transportation national highway traffic safety administration "Emergency Medical Services: First Responder Training Course," HS 900 026, March, 1979, as modified by the board as follows.

(1) Lesson 3, "diagnostic signs and patient examination," shall be replaced by the United States department of transportation national highway traffic safety administration "Emergency Medical Technician-Ambulance: National Standard Curriculum," HS 900 073, third edition, March 1984; lesson 2, "anatomy, physiology and patient assessment."

(2) Lesson 28 shall not be optional and the instructor shall teach this lesson.

(3) Each instructor shall teach the "log roll to a full spine board" technique from lesson 14 of the United States department of transportation national highway traffic safety administration "Emergency Medical Technician-Ambulance: National Standard Curriculum," HS 900 073, third edition; March, 1984.

(4) Effective January 1, 1997, the approved curriculum for first responder initial courses of instruction shall be the United States department of transportation national highway traffic safety administration "First Responder National Standard Curriculum," HS 808 291, August 1995, as modified by the board as follows.

(A) Module 3, "patient assessment," shall be replaced by the United States department of transportation national highway traffic safety administration "Emergency Medical Technician: Basic National Standard Curriculum," HS 808 149, August 1994; module 3, "patient assessment."

(B) Each instructor shall teach the bag-valve-mask resuscitator techniques and oxygen administration techniques from the United States department of transportation national highway traffic safety administration "Emergency Medical Technician: Basic National Standard Curriculum," HS 808 149, August 1994; module 2, "airway."

(C) Each instructor shall teach automated external defibrillation from the United States department of transportation national highway traffic safety administration "Emergency Medical Technician: Basic National Standard Curriculum," HS 808 149, August 1994; module 4, lesson 4-3, "cardiovascular emergencies."

(D) Each instructor shall teach vehicle extrication from the United States department of transportation national highway traffic safety administration "Emergency Medical Technician: Basic National Standard Curriculum," HS 808 149, August 1994; module 5, lesson 5-4, "injuries to the head and spine," and module 7, lesson 7-2, "gaining access."

(b) The approved curriculum for automated external defibrillation initial courses of instruction shall be the curriculum approved by the board on February 3, 1990.

(c) The approved curriculum for emergency medical technician initial courses of instruction shall be the United States department of transportation national highway traffic safety administration "Emergency Medical Technician—Ambulance: National Standard Curriculum," HS 900 073, third edition, March, 1984, as modified by the board as follows.

(1) Each instructor shall teach the esophageal obturator airways techniques in accordance with the United States department of transportation national highway traffic safety administration "Emergency Medical Technician—Intermediate: National Standard Curriculum," HS 900 091, August, 1986; section 7, "airway management and ventilation."

(2) Each instructor shall teach the monitoring of intravenous fluid administration in accordance with the United States department of transportation national highway traffic safety administration "Emergency Medical Technician—Paramedic: National Standard Curriculum," HS 900 089, August, 1986; division 2, section 4, "pathophysiology of shock."

(continued)

(3) Effective January 1, 1997, the approved curriculum for emergency medical technician initial courses of instruction shall be the United States department of transportation national highway traffic safety administration "Emergency Medical Technician: Basic National Standard Curriculum," HS 808 149, August, 1994, as modified by the board on February 3, 1995 as follows.

(A) Each instructor shall teach basic life support cardiopulmonary resuscitation and foreign body airway obstruction techniques for the adult, child, and infant in accordance with the "Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiac Care," as published in the October 28, 1992, volume 268, number 16 issue of the "Journal of the American Medical Association."

(B) Each instructor shall teach the esophageal obturator airway techniques in accordance with the United States department of transportation national highway traffic safety administration "Emergency Medical Technician—Intermediate: National Standard Curriculum," HS 900 091, August, 1986; section 7, "airway management and ventilation."

(C) Each instructor shall teach the multi-lumen airways techniques in accordance with the manufacturer's recommendations.

(D) Each instructor shall teach the monitoring of intravenous fluid administration in accordance with the United States department of transportation national highway traffic safety administration "Emergency Medical Technician—Paramedic: National Standard Curriculum," HS 900 089, August, 1986; division 2, section 4, "pathophysiology of shock."

(d) The approved curriculum for emergency medical technician-intermediate initial courses of instruction shall be the United States department of transportation national highway traffic safety administration "Emergency Medical Technician—Intermediate: National Standard Curriculum," HS 900 091, August, 1986.

(e) The approved curriculum for emergency medical technician-defibrillator initial courses of instruction shall be the emergency medical training program of the board curriculum, as in effect on January 1, 1989.

(f) The approved curriculum for mobile intensive care technician initial courses of instruction shall be the United States department of transportation national highway traffic safety administration "Emergency Medical Technician—Paramedic: National Standard Curriculum," HS 900 089, August, 1986.

(g) The approved curriculum for instructor-coordinator initial courses of instruction for a first responder and emergency medical technician endorsement shall be the United States department of transportation national highway traffic safety administration "Emergency Medical Services Instructor Training Program: A National Standard Curriculum," HS 900 086, February, 1986 as modified by the board as follows.

(1) Each instructor shall teach automated external defibrillation in accordance with the automated external defibrillation curriculum approved by the board on February 3, 1990.

(2) Each instructor shall teach and have the students practice emergency medical services practical skills at the basic life support level in accordance with the United

States department of transportation national highway traffic safety administration "Emergency Medical Technician—Ambulance: National Standard Curriculum," HS 900 073, third edition, March, 1984.

(3) Each instructor shall teach the course approval process curriculum, as approved by the board on December 2, 1994.

(4) Each instructor shall teach the state examination process curriculum, as approved by the board on June 2, 1995.

(5) Each instructor shall teach the quality assurance of training programs curriculum, as approved by the board on December 2, 1994.

(6) Each instructor shall teach the risk management concerns for training programs curriculum, as approved by the board on December 2, 1994.

(7) Each instructor shall teach the planning and implementing training programs curriculum, as approved by the board on December 2, 1994.

(8) Each instructor shall teach the teaching and evaluating the affective domain curriculum, as approved by the board on December 2, 1994.

(9) Each instructor shall teach the ethics in the educational process curriculum, as approved by the board on December 2, 1994.

(h) The approved curriculum for instructor-coordinator initial courses of instruction for emergency medical technician-intermediate, emergency medical technician defibrillator, and mobile intensive care technician endorsements shall be the curriculum approved by the board on June 8, 1990.

(i) The approved curriculum for training officer I initial courses of instruction shall be the curriculum approved by the board on August 6, 1993.

(j) The approved curriculum for training officer II initial courses of instruction shall be the curriculum approved by the board on August 6, 1993.

(k) The approved curriculum for certified instructor-coordinators and approved training officers initial course of instruction for inter-active television endorsement shall be the curriculum approved by the board on August 5, 1994.

(l) In the event of proposed curricula or proposed curricula revisions, a maximum of three initial courses of instruction to field test such proposed curricula or curricula revisions for the purpose of considering permanent adoption of the proposed curricula or proposed curricula revisions may be approved by the board. Students of each approved field test course shall, upon successful completion of an approved field test course, be eligible to challenge the board examination for certification at the attendant level for which the approved field test curriculum is intended. All examination policies as stated in K.A.R. 109-8-1(g) and (h) shall be applicable to students successfully completing an approved field test curriculum. (Authorized by K.S.A. 65-6110 and 65-6111; implementing K.S.A. 65-6111, 65-6129 and 65-6142; effective, T-109-1-19-89, Jan. 19, 1989; effective July 17, 1989; amended Aug. 27, 1990; amended April 10, 1995; amended Sept. 22, 1995; amended Nov. 1, 1996.)

Bob McDanel
Administrator

Doc. No. 018262

State of Kansas

Kansas Racing and Gaming Commission

Permanent Administrative
Regulations

Article 18.—SIMULCASTING LICENSES

112-18-21. Election and recognition of recognized greyhound owners' group. (a) Each recognized greyhound owners' group for each racetrack facility licensed by the Kansas racing and gaming commission shall be elected pursuant to K.S.A. 1995 Supp. 74-8802(ee).

(b) Each recognized greyhound owners' group shall be duly recognized by the commission before assuming any duties concerning the approval of any simulcast schedule proposed by an organization licensee.

(c) Only one group for greyhound owners as appropriate for each race meeting shall be recognized by the commission for the purpose of serving at each racetrack facility.

(d) Each recognized greyhound owners' group shall be responsible for:

(1) negotiating agreements pertaining to simulcast license applications;

(2) signing simulcast license applications pursuant to K.S.A. 1995 Supp. 74-8836(d)(2), and amendments thereto; and

(3) determining how the 50 percent of the balance of the simulcast takeout remaining after the deduction of taxes and expenses to be used for purses is to be distributed pursuant to K.S.A. 1995 Supp. 74-8836(g)(3) & (4).

(e) Each recognized greyhound owners' group shall consist of five individuals elected in accordance with this regulation.

(f) Elections for recognized greyhound owners' groups shall commence August 1 of each odd-numbered year unless held sooner pursuant to the provisions of subsection (k) of this regulation.

(g) Except as otherwise provided in this regulation or by commission order, each member of a greyhound owners' group shall serve a term of two years, commencing on October 1 of the year in which the recognized greyhound owners' group is elected, and ending on September 30 of the next odd-numbered year or until the member's successor has been duly elected and recognized by the commission after the commission is presented with a petition in accordance with subsection (k) of this regulation.

(h) To be eligible to vote in the election process at the racetrack facility where the recognized greyhound owners' group is to serve, a voter must have been a licensed greyhound owner or kennel owner participating as an owner between December 1 of the year before the election and September 30 of the election year, and have raced at that racetrack facility between January 1 and September 30 of the election year.

(i) The procedure for conducting an election of a recognized greyhound owners' group shall be as follows:

(1) On August 1 of each odd-numbered year, the commission or its designee pursuant to K.S.A. 1995 Supp. 74-8802(ee), if any, shall post conspicuously a notice of elections to be held for a recognized greyhound owners'

group for the racetrack facility in question. The notice shall be posted throughout each racetrack facility, including the following:

(A) the racing offices; and

(B) the commission offices; and

(C) any other places greyhound owners are known to congregate. Notice of elections to be held may also be published in one or more greyhound parimutuel industry publications at the commission's direction.

(2) On August 1 of each odd-numbered year, the commission or its designee pursuant to K.S.A. 1995 Supp. 74-8802(ee), if any, shall mail the notice of elections to be held by depositing the notice in the United States mail, first class postage prepaid, to each eligible voter at the eligible voter's last known address appearing in the records of the Kansas racing and gaming commission.

(3) The commission or its designee pursuant to K.S.A. 1995 Supp. 74-8802(ee), if any, shall make available nominating petitions for distribution to any eligible voter upon request in the Kansas racing and gaming commission office. The nominating petitions shall be in a form approved by the commission for the purpose of nominating individuals to stand for election to a recognized greyhound owners' group. The nominating petitions shall contain a statement signed by the nominee that the nominee:

(A) agrees to serve as a member of the recognized group for which the nominee is standing for election;

(B) agrees to be reasonably available to attend meetings of the recognized group for which the nominee is standing for election;

(C) agrees to bargain in good faith as a member of the recognized group for which the nominee is standing for election; and

(D) shall obtain the signatures of three other eligible voters on the nominating petition.

(4) Nominating petitions for election to a recognized greyhound owners' group shall be returned to the Kansas racing and gaming commission office in Topeka by twelve o'clock noon of the third Friday following the first Monday in August following the posting of the notice of election required by subsection (i)(1) of this regulation.

(5) After the close of the nominating period prescribed in subsection (i)(4) of this regulation, the nominating petitions shall be reviewed by commission staff or its designee pursuant to K.S.A. 1995 Supp. 78-8802(ee), if any, in accordance with procedures approved by the commission to confirm:

(A) that the signatures on the nominating petitions appear on the list of eligible voters in the records of the Kansas racing and gaming commission; and

(B) that the required number of signatures of eligible voters has been received by each nominee.

(6) Once the nominating petitions have been processed by the commission staff or its designee pursuant to K.S.A. 1995 Supp. 74-8802(ee), if any, a ballot shall be prepared by the commission which shall include the following:

(A) a list of names of the duly nominated persons standing for election to the recognized group;

(B) a serial number;

(continued)

(C) a statement that the voter shall vote for no more than five nominees;

(D) a statement that the five nominees receiving the highest number of votes from those voting in the election shall be elected, to serve as the recognized greyhound owners' group for the racetrack facility at which the election is being conducted for the term provided in subsection (g) of this regulation;

(E) a statement that is one or more of the members elected to the recognized greyhound owners' group resigns or for any other reason fails to complete the term of service as provided in subsection (g) of this regulation, then the member or members shall be replaced by the nominee or nominees having received the next highest number of votes from those voting in the election. The nominee or nominees shall serve out the remainder of the term for any member or members who failed to complete the member's or members' term; and

(F) a statement that proxy voting shall not be permitted.

(7) The commission or its designee pursuant to K.S.A. 1995 Supp. 74-8802(ee), if any, shall, on or before September 1 of each odd-numbered year following the preparation of the ballots as prescribed by subsection (i)(6) of this regulation:

(A) conspicuously post copies of the ballot clearly and indelibly marked SAMPLE throughout each racetrack facility, including the following:

- (i) the racing office;
- (ii) the commission offices; and
- (iii) any other places greyhound owners are known to congregate; and

(B) mail official ballots to each voter who is eligible to vote, by depositing the ballot in the United States mail, first class postage prepaid, to each voter's last known address as shown in the records of the Kansas racing and gaming commission.

(8) Ballots shall be returned to the Kansas racing and gaming commission office in Topeka by twelve o'clock noon of the third Friday following the first Monday in September following the posting of the sample ballot as required by subsection (i)(7)(A) of this regulation.

(9) On the Wednesday following the deadline set out in subsection (i)(8) above, the commission chairman, executive director and general counsel shall convene an open meeting at the commission offices and count the ballots.

(10) In the event of a tie in the number of votes received by one or more nominees, lots shall be cast to settle the election results.

(11) Ten days following the counting of the ballots or as soon thereafter as the commission meeting schedule will permit, the commission shall execute a certificate of election to each of the five nominees receiving the highest number of votes designating those nominees as duly elected members of a recognized greyhound owners' group having been elected in accordance with this regulation.

(j) Within 10 days following the counting of the ballots in any election held pursuant to this regulation, any commission staff member, nominee or eligible voter may file a sworn complaint with the commission concerning the

conduct in any election held pursuant to this regulation. The commission shall, upon the receipt of a complaint, commence a hearing in accordance with the Kansas administrative procedure act, K.S.A. 77-501 et seq. The filing of a complaint with the commission concerning the conduct in an election held pursuant to this regulation shall not impair or inhibit the duly elected recognized group from functioning pending resolution of the complaint.

(k) No election for a recognized greyhound owners' group that is conducted within 24 months of a prior election shall be recognized by the commission, except upon the filing of a petition with the commission to conduct a new election signed by at least 30 percent of the number of eligible voters that actually voted in the preceding election.

(1) Upon receipt of a petition for a new election signed by the required number of voters set out in subsection (k) above, an election for a new recognized greyhound owners' group shall be conducted by the commission as soon as practicable in accordance with this regulation.

(m) The terms of members of recognized greyhound owners' group elected in calendar year 1996 shall expire in accordance with the provisions of subsection (g) of this regulation and the commission shall commence election proceedings in accordance with the provisions of subsection (f) which shall not be subject to the provisions of subsection (k) above. (Authorized by K.S.A. 1995 Supp. 74-8804, as amended by L. 1996, Ch. 262, Sec. 2; implementing K.S.A. 1995 Supp. 74-8802, as amended by L. 1996, Ch. 262, Sec. 1, and L. 1996, Ch. 256, Sec. 19, and K.S.A. 1995 Supp. 74-8836, as amended by L. 1996, Ch. 262, Sec. 9; effective Nov. 1, 1996.)

112-18-22. Election and recognition of recognized horsemen's group. (a) Each recognized horsemen's group for each racetrack facility licensed by the Kansas racing and gaming commission shall be elected pursuant to K.S.A. 1995 Supp. 74-8802(ff).

(b) Each recognized horsemen's group shall be duly recognized by the commission before assuming any duties concerning the approval of any simulcast schedule proposed by an organization licensee.

(c) Only one group for horsemen as appropriate for each race meeting shall be recognized by the commission for the purpose of serving at each racetrack facility.

(d) Each recognized horsemen's group shall be responsible for:

(1) negotiating agreements pertaining to simulcast license applications;

(2) signing simulcast license applications pursuant to K.S.A. 1995 Supp. 74-8836(d)(2), and amendments thereto; and

(3) determining how the 50 percent of the balance of the simulcast takeout remaining after the deduction of taxes and expenses to be used for purses is to be distributed pursuant to K.S.A. 1995 Supp. 74-8836(g)(3) & (4).

(e) Each recognized horsemen's group shall consist of five individuals elected in accordance with this regulation.

(f) Elections for recognized horsemen's groups shall commence August 1 of each even-numbered year unless held sooner pursuant to the provisions of subsection (k) of this regulation.

(g) Except as otherwise provided in this regulation or by commission order, each member of a recognized horsemen's group shall serve a term of two years, commencing on October 1 of the year in which the recognized horsemen's group is elected, and ending on September 30 of the next even-numbered year or until the member's successor has been duly elected and recognized by the commission after the commission is presented with a petition in accordance with subsection (k) of this regulation.

(h) To be eligible to vote in the election process at the racetrack facility where the recognized horsemen's group is to serve, a voter must have been licensed as a horse owner or trainer and have raced at that racetrack facility during the year preceding the election year.

(i) The procedure for conducting an election of a recognized horsemen's group shall be as follows:

(1) On August 1 of each even-numbered year, the commission or its designee pursuant to K.S.A. 1995 Supp. 74-8802(ff), if any, shall post conspicuously a notice of elections to be held for a recognized horsemen's group for the racetrack facility in question. The notice shall be posted throughout each racetrack facility, including the following:

- (A) the racing office;
- (B) the commission offices; and
- (C) any other places horsemen are known to congregate. Notice of elections to be held may also be published in one or more horse parimutuel industry publications at the commission's discretion.

(2) On August 1 of each even-numbered year, the commission or its designee pursuant to K.S.A. 1995 Supp. 74-8802(ff), if any, shall mail the notice of elections to be held by depositing the notice in the United States mail, first class postage prepaid, to each eligible voter at the eligible voter's last known address appearing in the records of the Kansas racing and gaming commission.

(3) The commission or its designee pursuant to K.S.A. 1995 Supp. 74-8802(ff), if any, shall make available nominating petitions for distribution to any eligible voter upon request in the Kansas racing and gaming commission office. The nominating petitions shall be in a form approved by the commission for the purpose of nominating individuals to stand for election to a recognized horsemen's group. The nominating petitions shall contain a statement signed by the nominee that the nominee:

- (A) agrees to serve as a member of the recognized group for which the nominee is standing for election;
- (B) agrees to be reasonably available to attend meetings of the recognized group for which the nominee is standing for election;
- (C) agrees to bargain in good faith as a member of the recognized group for which the nominee is standing for election; and
- (D) shall obtain the signature of 10 other eligible voters on the nominating petition.

(4) Nominating petitions for election to a recognized horsemen's group shall be returned to the Kansas racing and gaming commission office in Topeka by twelve o'clock noon of the third Friday following the first Monday in August following the posting of the notice of election required by subsection (i)(1) of this regulation.

(5) After the close of the nominating period prescribed in subsection (i)(4) of this regulation, the nominating petitions shall be reviewed by the commission staff or its designee pursuant to K.S.A. 1995 Supp. 74-8802(ff), if any, in accordance with procedures approved by the commission to confirm:

(A) that the signatures on the nominating petitions appear on the list of eligible voters in the records of the Kansas racing and gaming commission; and

(B) that the required number of signatures of eligible voters has been received by each nominee.

(6) Once the nominating petitions have been processed by the commission staff or its designee pursuant to K.S.A. 1995 Supp. 74-8802(ff), if any, a ballot shall be prepared by the commission which shall include the following:

(A) a list of names of the duly nominated persons standing for election to the recognized group;

(B) a serial number;

(C) a statement that the voter shall vote for no more than five nominees;

(D) a statement that the five nominees receiving the highest number of votes from those voting in the election shall be elected to serve as the recognized horsemen's group for the racetrack facility at which the election is being conducted for the term provided in subsection (g) of this regulation;

(E) a statement that if one or more of the members elected to the recognized horsemen's group resigns or for any other reason fails to complete the term of service as provided in subsection (g) of this regulation, then the member or members shall be replaced by the nominee or nominees having received the next highest number of votes from those voting in the election. The nominee or nominees shall serve out the remainder of the term of any member or members who failed to complete the member's or members' term; and

(F) a statement that proxy voting shall not be permitted.

(7) The commission or its designee pursuant to K.S.A. 1995 Supp. 74-8802(ff), if any, shall, on or before September 1 of each even-numbered year following the preparation of the ballots as prescribed by subsection (i)(6) of this regulation:

(A) conspicuously post copies of the ballot clearly and indelibly marked SAMPLE throughout each racetrack facility, including the following:

(i) the racing office;

(ii) the commission offices; and

(iii) any other places horsemen are known to congregate; and

(B) mail official ballots to each voter who is eligible to vote, by depositing the ballots in the United States mail, first class postage prepaid, to each voter's last known address as shown in the records of the Kansas racing and gaming commission.

(8) Ballots shall be returned to the Kansas racing and gaming commission office in Topeka by twelve o'clock noon of the third Friday following the first Monday in September following the posting of the sample ballot as required by subsection (i)(7)(A) of this regulation.

(continued)

(9) On the Wednesday following the deadline set out in subsection (i)(8) above, the commission chairman, executive director and general counsel shall convene an open meeting at the commission offices and count the ballots.

(10) In the event of a tie in the number of votes received by one or more nominees, lots shall be cast to settle the election results.

(11) Ten days following the counting of the ballots or as soon thereafter as the commission meeting schedule will permit, the commission shall execute a certificate of election to each of the five nominees receiving the highest number of votes designating those nominees as duly elected members of a recognized horsemen's group having been elected in accordance with this regulation.

(j) Within 10 days following the counting of the ballots in any election held pursuant to this regulation, any commission staff member, nominee or eligible voter may file a sworn complaint with the commission concerning the conduct in any election held pursuant to this regulation. The commission shall, upon the receipt of a complaint, commence a hearing in accordance with the Kansas administrative procedure act, K.S.A. 77-501 *et seq.* The filing of a complaint with the commission concerning the conduct in an election held pursuant to this regulation shall not impair or inhibit the duly elected recognized group from functioning pending resolution of the complaint.

(k) No election for a recognized horsemen's group that is conducted within 24 months of a prior election shall be recognized by the commission, except upon the filing of a petition with the commission to conduct a new election signed by at least 30 percent of the number of eligible voters that actually voted in the preceding election.

(l) Upon receipt of a petition for a new election signed by the required number of voters set out in subsection (k) above, an election for a new recognized horsemen's group shall be conducted by the commission as soon as practicable in accordance with this regulation.

(m) Special provisions for the transition calendar year 1996 only shall be as follows:

(1) The commission may designate by written order, an organization that has been previously recognized as a recognized horsemen's group as set forth in subsection (a) of this regulation until such time as a duly recognized horsemen's group can be elected pursuant to this regulation.

(2) To be eligible to vote in the 1996 election for a recognized horsemen's group, each voter shall have been licensed as a horse owner or trainer between December 1, 1995, and November 30, 1996, and have raced at that racetrack facility during the 1996 horse race meet.

(3) The commission shall begin the election process for a recognized horsemen's group on November 1, 1996.

(n) This regulation shall take effect on November 1, 1996. (Authorized by K.S.A. 1995 Supp. 74-8804, as amended by L. 1996, Ch. 262, Sec. 2; implementing K.S.A. 1995 Supp. 74-8802, as amended by L. 1996, Ch. 262, Sec. 1, and L. 1996, Ch. 256, Sec. 19 and K.S.A. 1995 Supp. 74-8836, as amended by L. 1996, Ch. 262, Sec. 9; effective Nov. 1, 1996.)

Myron Scafe
Executive Director

Doc. No. 018281

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 35.—RADIATION

28-35-178b. General license—certain measuring, gauging and control devices. (a)(1) Subject to the provisions of subsection (b) and (c) of this regulation, a general license is hereby issued to acquire, possess, use and transfer radioactive material which is contained in any device designed, manufactured and used for one or more of the following purposes:

(A) detecting, measuring, gauging or controlling thickness, density, level interface location, radiation leakage, or qualitative or quantitative chemical composition; or

(B) producing light or an ionized atmosphere.

(2) The general license issued in paragraph (1) of this subsection shall apply only to radioactive material contained in any device which has been manufactured and labeled by a manufacturer in accordance with the specifications of a specific license issued to that manufacturer by the secretary, the U.S. nuclear regulatory commission or an agreement state.

(b) Each person who acquires, possesses or uses radioactive material in a device pursuant to the general license issued in subsection (a) of this regulation shall comply with the following requirements:

(1) Each person subject to this subsection shall assure that all labels which are affixed to the device at the time of receipt and which bear a statement that removal of the label is prohibited are maintained and shall comply with all instructions and precautions provided by these labels.

(2) Each person subject to this subsection shall assure that the device is tested for leakage of radioactive material and proper operation of the on-off mechanism and indicator, if any, at no longer than six-month intervals or at such other intervals as are specified in any manufacturer's label affixed to the device, except as follows.

(A) Such person shall not be required to test devices containing only Krypton for leakage of radioactive material.

(B) Such persons shall not be required to test, for any purpose, any device containing only tritium or not more than 100 microcuries of other beta or gamma-emitting material or 10 microcuries of alpha-emitting material or any device held in storage in the original shipping container prior to initial installation.

(3) Each person subject to this subsection shall assure that the tests required by paragraph (b)(2) of this subsection and other operations involving testing, installation, servicing and removal from installation of the radioactive material, its shielding or containment, are performed:

(A) In accordance with instructions provided on labels affixed to the device; or

(B) by a person holding a specific license to perform such activities.

(4)(A) Each person subject to this subsection shall maintain records showing compliance with the require-

ments of paragraphs (b)(2) and (b)(3). The records shall show the results of each test. The records also shall show the dates of the testing, installation, servicing, or removal from installation of the radioactive material, its shielding or containment and the name of each person performing one or more of these activities.

(B) Such persons shall maintain records of tests for leakage of radioactive material required by paragraph (b)(2) for one year after the next, required leak test is performed or until the sealed source is transferred or disposed. Such persons shall maintain records of tests of the on-off mechanism and indicator, as required by paragraph (b)(2) for one year after the next, required test of the on-off mechanism and indicator is performed or until the sealed source is transferred or disposed. Such persons shall maintain records which are required by paragraph (b)(3) for a period of two years from the date of the recorded event or until the device is transferred or disposed.

(5) Upon a failure of or damage to, or any indication of a possible failure of or damage to, the shielding of the radioactive material or the on-off mechanism or indicator, or upon the detection of 0.005 microcurie or more removable radioactive material, each person subject to this subsection shall take the following actions:

(A) immediately suspend operation of the device until the device:

(i) has been repaired by the manufacturer or other person holding a specific license to repair such devices; or

(ii) is transferred to a person authorized by a specific license to receive the radioactive material contained in the device; and

(B) within 30 days, furnish to the secretary a report containing a brief description of the event and the remedial action taken.

(6) Each person subject to this subsection shall not abandon the device.

(7) Except as provided in paragraph (c)(8) of this subsection, each person subject to this subsection shall transfer the device only to a person holding a specific license to receive the device, and within 30 days after the transfer, shall furnish to the secretary a written report containing an identification of the device by manufacturer's name and model number, and the name and address of the person to whom the device was transferred. However, a report shall not be required if the device is transferred to a specific licensee only for the purpose of obtaining a replacement device.

(8) Each person subject to this subsection shall transfer the device to another general licensee only:

(A) When the device remains in use at a particular location. In this case, the transferor shall give the transferee a copy of this regulation and any safety documents identified in any label affixed to the device, and within 30 days of the transfer, provide a written report to the secretary containing identification of the device by manufacturer's name and model number, the name and address of the transferee, and the name and position of an individual who may be contacted by the secretary concerning the device; or

(B) When the device is held in storage in the original shipping container at its intended location of use prior to initial use by a general licensee.

(9) Each person subject to this subsection shall comply with the provisions of K.A.R. 28-35-228a and 28-35-229a relating to reports of radiation incidents, theft or loss of licensed material, but shall be exempt from the other requirements of parts 4 and 10 of these regulations.

(c) Nothing in this rule and regulation shall be deemed to authorize the manufacture of any device containing radioactive material.

(d) The general license issued in subsection (a) of this regulation shall be subject to the provisions of K.A.R. 28-35-184a and K.A.R. 28-35-184b. (Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended Nov. 1, 1996.)

28-35-180a. General requirements for the issuance of specific licenses. An application for a specific license shall only be approved if the secretary determines that the application complies with the provisions of K.A.R. 28-35-133 through K.A.R. 28-35-363.

(a) Each applicant shall be qualified by reason of training and experience to use the material in question for the purpose requested, in accordance with these regulations, and in a manner that will protect the public health and minimize danger to life and property.

(b) The proposed equipment, facilities, and procedures used by each applicant shall be adequate to protect the public health and minimize danger to life and property.

(c) A specific license shall be approved if the secretary determines it will not be inimical to the health and safety of the public.

(d) Each applicant shall meet the requirements prescribed in these regulations for the particular license sought.

(e) Each application for a license for commercial waste disposal, source material milling or other activity which the secretary determines will significantly affect the environment shall meet the following conditions.

(1) Each applicant shall provide information which permits the secretary to weigh the environmental, economic, technical, and other benefits against the environmental costs and alternatives.

(2) Each determination made by the secretary to approve a specific license shall be based upon the following:

(A) the information provided in K.A.R. 28-35-180a(e)(1) and other information as necessary; and

(B) the applicable portions of 10 CFR, part 51, Subpart A, § 51.45, as in effect April 30, 1992.

(3) Each applicant shall be authorized to begin construction only after the secretary approves issuance of the license. Commencement of construction prior to the secretary's determination shall be grounds for denial of the license. "Commencement of construction," as used here, means any clearing of land, excavation, or other substantial action that would adversely affect the environment of a site.

(4) On and after 1996, each applicant for a specific license authorizing the possession and use of unsealed ra-

(continued)

radioactive material with a half-life greater than 120 days and in quantities exceeding 10^5 times the applicable quantities set forth in K.A.R. 28-35-201, Schedule F shall submit a decommissioning funding plan as described in paragraph (e) (8) of this regulation. The applicant shall also submit the decommissioning funding plan when a combination of isotopes is involved if R divided by 10^5 is greater than 1 (unity rule), where R is defined here as the sum of the ratios of the quantity of each isotope to the applicable value in K.A.R. 28-35-201, Schedule F.

(5) On or after 1996, each applicant for a specific license authorizing possession and use of radioactive material with a half-life greater than 120 days and in quantities specified in Table I of this regulation shall either:

(A) submit a decommissioning funding plan as described in paragraph (e)(8) of this regulation; or

(B) submit a certification that financial assurance for decommissioning has been provided in the amount prescribed by Table I, using one of the methods described in paragraph (e)(9) of this regulation.

(i) This certification may state that the appropriate assurance will be obtained after the application has been approved and the license issued, but before the receipt of licensed material. If the applicant defers execution of the financial instrument required under paragraph (e)(9) until after the license has been issued, a signed original of the financial instrument shall be submitted to the department before the applicant receives the licensed material.

(ii) If the applicant does not defer execution of the financial instrument required under paragraph (e)(9), the applicant shall submit to the department, as part of the certification, a signed original of the financial instrument.

(6) Each holder of a specific license issued before October 1, 1996 which is of a type described in K.A.R. 28-35-180a (e)(4) or (5) shall provide financial assurance for decommissioning in accordance with the criteria established below.

(A) Each holder of a specific license issued before October 1, 1996 which is of a type described in K.A.R. 28-35-180a(e)(4) shall submit a decommissioning funding plan as described in K.A.R. 28-35-180a paragraph (e)(8) or a certification of financial assurance for decommissioning in an amount at least equal to \$750,000.00. The plan or certification shall be submitted to the department in accordance with the criteria set forth in this regulation, not later than 90 days after October 1, 1996. If the licensee submits a certification of financial assurance rather than a decommissioning funding plan, the licensee shall include a decommissioning funding plan in any application for license renewal.

(B) Each holder of a specific license issued before October 1, 1996, which is of a type described in K.A.R. 28-35-180a (e)(5) shall submit a decommissioning funding plan as described in K.A.R. 28-35-180a (e)(8) or a certification of financial assurance for decommissioning. The plan or certification shall be submitted to the department, in accordance with the criteria set forth in this regulation, not later than 90 days after October 1, 1996.

(7) The amounts of financial assurance required for decommissioning, by quantity of material, shall be set out in Table I.

TABLE I

Financial Assurance for Decommissioning by Quantity of Material

Where the possession limit is greater than 10^4 but less than or equal to 10^5 times the applicable quantities in K.A.R. 28-35-201, Schedule F, regulations in unsealed form	\$750,000.00
Where a combination of isotopes exist, if R , as defined in K.A.R. 28-35-180a (e)(4), divided by 10^4 is greater than 1, but R divided by 10^5 is equal to or less than one	\$750,000.00
Where the possession limit is greater than 10^3 but less than or equal to 10^4 times the applicable quantities of K.A.R. 28-35-201, Schedule F, in unsealed form	\$150,000.00
For a combination of isotopes, if R , as defined in K.A.R. 28-35-180a (e)(4), divided by 10^3 is greater than one, but R divided by 10^4 is less than or equal to one.....	\$150,000.00
Where the possession limit is greater than 10^{10} times the applicable quantities in K.A.R. 28-35-201, Schedule F, in sealed sources or foils	\$75,000.00
For a combination of isotopes, if R , as defined in K.A.R. 28-35-180a (e)(4), divided by 10^{10} is greater than one.....	\$75,000.00

(8) Each decommissioning funding plan shall contain the following:

(A) a cost estimate for decommissioning;

(B) a description of the method of assuring funds for decommissioning, selected from the methods available under K.A.R. 28-35-180a (e)(9);

(C) a description of the means for periodically adjusting cost estimates and associated funding levels over the life of the facility;

(D) a certification by the licensee that financial assurance for decommissioning has been provided in the amount of the cost estimate for decommissioning; and

(E) a signed original of the financial instrument obtained to satisfy the requirements of K.A.R. 28-35-180a (e)(9).

(9) Each licensee shall provide financial assurance for decommissioning by one or more of the following methods:

(A) Prepayment. "Prepayment" means a deposit of cash or liquid assets which is made:

(i) prior to the start of operation into an account which is segregated from the licensee's assets and outside of the licensee's administrative control; and

(ii) in an amount which would be sufficient to pay decommissioning costs.

The prepayment may be in the form of a trust, escrow account, government fund, certificate of deposit, or deposit of government securities.

(B) A surety method, insurance, or other guarantee method. The licensee may use a surety, insurance, or other similar means to guarantee that decommissioning costs will be paid. A surety method may be in the form

of a surety bond, letter of credit, or line of credit. A parent company guarantee of funds for decommissioning costs based on a financial test may be used if the guarantee and test meet the requirements of K.A.R. 28-35-203, Schedule G. A parent company guarantee shall not be used in combination with other financial methods to satisfy these requirements. A guarantee of funds by the applicant or licensee for decommissioning costs based on a financial test may be used if the guarantee and test meet the requirements of K.A.R. 28-35-203, Schedule G. A guarantee by the applicant or licensee shall not be used in combination with any other financial methods to satisfy these requirements or in any situation where a parent company of the applicant or licensee holds majority control of the voting stock of the company. Any surety method or insurance used to provide financial assurance for decommissioning shall contain the following conditions:

(i) The surety or insurance shall be open-ended, or if written for a specified term shall be renewed automatically unless 90 days or more prior to the renewal date the insurer notifies the department, the beneficiary, and the licensee of its intention not to renew. The surety or insurance shall also provide that the full face amount will be paid to the beneficiary automatically prior to the expiration without proof of forfeiture if the licensee fails to provide a replacement acceptable to the department within 30 days after receipt of notification of cancellation.

(ii) The surety or insurance shall be payable to a trust established for decommissioning costs. The trustee and trust shall be acceptable to the department. An acceptable trustee may include an appropriate state or federal agency or an entity which has the authority to act as a trustee and whose trust operations are regulated and examined by a federal or state agency.

(iii) The surety or insurance shall remain in effect until the department has terminated the license.

(C) External sinking fund. A licensee may provide financial assurance for decommissioning through an external sinking fund in which deposits are made at least annually, coupled with a surety or insurance. The value of the surety or insurance may decrease by the amount accumulated in the sinking fund. "External sinking fund" means a fund:

(i) established and maintained by setting aside funds periodically in an account segregated from the licensee's assets and outside the licensee's administrative control; and

(ii) in which the total amount of the funds would be sufficient to pay decommissioning costs at the time termination of the operation is expected. An external sinking fund may be in the form of a trust, escrow account, government fund, certificate of deposit, or deposit of government securities. The surety or insurance provisions shall meet the requirements of K.A.R. 28-35-180a (e)(9)(B).

(D) In the case of federal, state or local government licensees, a statement of intent containing a cost estimate for decommissioning or an amount based on Table I of this regulation, and indicating that funds for decommissioning will be obtained when necessary.

(10) Each person licensed under K.A.R. 28-35-180a (e)(4), (5), (6), (7), (8), (9) and (10) shall keep records of all

information that is important to the safe and effective decommissioning of the facility. The records shall be kept in an identified location until the license is terminated by the department. If records of relevant information are kept for other purposes, the licensee may refer to these records in the records kept pursuant to this paragraph and their locations. Information that is important to decommissioning shall consist of information required in paragraphs (A), (B), (C), and (D) below.

(A) Each licensee shall maintain records of spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment, or site. These records may be limited to records of instances in which contamination remains after any cleanup procedures or when there is reasonable likelihood that contaminants may have spread to inaccessible areas. These records shall include any known information identifying the nuclides, quantities, forms, and concentrations involved in the spill or occurrence.

(B) Each licensee shall maintain drawings of the following, both as originally built and as modified if applicable:

(i) structures and equipment in restricted areas where radioactive materials are used, stored or both; and

(ii) locations of possible inaccessible contamination. If the licensee references required drawings other than those kept pursuant to this regulation, the licensee shall not be required to index each relevant document individually. If drawings are not available, the licensee shall substitute appropriate records of available information concerning these areas and locations;

(C) Each licensee shall maintain a list, contained in a single document and updated every two years, of the following:

(i) all areas designated and formerly designated as restricted areas;

(ii) all areas outside of restricted areas that require documentation pursuant to K.A.R. 28-35-180a (e)(10)(A);

(iii) all areas outside of restricted areas where current and previous wastes have been buried as documented under K.A.R. 28-35-227; and

(iv) all areas outside of restricted areas which contain material such that, if the license expired, the licensee would be required to either decontaminate the area to unrestricted release levels or apply for approval for disposal under K.A.R. 28-35-225a.

Those areas containing sealed sources only shall not be included in the list, if the sources have not leaked, no contamination remains in the area after any leak, or the area contains only radioactive materials having half-lives of less than 65 days.

(D) Each licensee shall maintain records of the cost estimate performed for the decommissioning funding plan or of the amount certified for decommissioning, and records of the funding method used for assuring funds if either a funding plan or certification is used.

(f) Each applicant for a specific license shall make arrangements for a long-term care fund pursuant to K.S.A. 48-1623. Each applicant for any of the following specific licenses shall establish the long-term fund prior to the issuance of the license or prior to the termination of the

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license if the applicant chooses, at the time of the licensure, to provide a surety in lieu of a long-term care fund:

- (1) waste-handling licensees;
- (2) source material milling licensees; and
- (3) facilities formerly licensed by the U.S. atomic energy commission or the U.S. nuclear regulatory commission, if required.

(g)(1) Each applicant shall agree to notify the department, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of title 11, bankruptcy, of the United States code by or against any of the following:

- (A) the licensee;
 - (B) any entity, as that term is defined in 11 U.S.C. 101 (14) as of January 28, 1991, controlling the licensee or listing the license or licensee as property of the estate; or
 - (C) any affiliate, as that term is defined in 11 U.S.C. 101 (2) as of January 28, 1991, of the licensee.
- (2) The bankruptcy notification shall indicate:
- (A) the bankruptcy court in which the petition for bankruptcy was filed; and
 - (B) the date the petition was filed. (Authorized by and implementing K.S.A. 48-1607; effective, T-86-37, Dec. 11, 1985; effective May 1, 1986; amended Sept. 20, 1993; amended Nov. 1, 1996.)

28-35-184b. Reporting requirements. (a) Immediate report. Each licensee shall notify the department of the following types of events:

- (1) an event that prevents immediate protective actions necessary to avoid exposures to radiation or radioactive materials that could exceed regulatory limits; or
- (2) an event involving a release of licensed material that could exceed regulatory limits. The licensee shall notify the department of the event as soon as possible, but not later than four hours after the event is discovered.

(b) Twenty-four hour report. Each licensee shall notify the department within 24 hours after the discovery of any of the following events involving licensed material:

- (1) An unplanned contamination event in which:
 - (A) access to the contaminated area, by workers or the public, must be restricted for more than 24 hours by imposing additional radiological controls or by prohibiting entry into the area;
 - (B) the quantity of material involved is greater than five times the lowest annual limit on intake specified for the material in appendix B of the "Kansas Department of Health and Environment Appendices to Part 4: Standards for Protection Against Radiation," effective April 1994; and
 - (C) access to the area must be restricted for a reason other than to allow isotopes with a half-life of less than 24 hours to decay prior to decontamination;
- (2) an event in which equipment is disabled or fails to function as designed when:

(A) the equipment is required by regulation or license condition to prevent releases exceeding regulatory limits, to prevent exposures to radiation and radioactive materials exceeding regulatory limits, or to mitigate the consequences of an accident;

(B) the equipment is required to be available and operable at the time it is disabled or fails to function; and

(C) no redundant equipment is available and operable to perform the required safety function;

(3) an event that requires unplanned medical treatment at a medical facility of an individual with spreadable radioactive contamination on the individual or the individual's clothing; and

(4) an unplanned fire or explosion damaging any licensed material or any device, container, or equipment containing licensed material when:

(A) the quantity of material involved is greater than five times the lowest annual limit of intake specified for the material in appendix B of the "Kansas Department of Health and Environment Appendices to Part 4: Standards for Protection Against Radiation," effective April 1994; and

(B) the damage affects the integrity of the licensed material or its container.

(c) Preparation and submission of reports. Each report made by a licensee in response to the requirements of this regulation shall be made as follows:

(1) Each licensee shall make the reports required by subsection (a) and (b) of this regulation by telephone to the Kansas department of health and environment-bureau of air and radiation-radiation control program. The report shall include, to extent it is available, the following information:

- (A) the caller's name and a call back number;
- (B) a description of the event, including the date and time;
- (C) the exact location of the event;
- (D) the isotopes, quantities, and chemical and physical forms of the licensed material involved; and
- (E) any personnel radiation exposure data available.

(2) Written report. Each licensee who makes a report required by subsections (a) and (b) of this regulation shall submit a written follow-up report within 30 days of the initial report. A written report submitted pursuant to other requirements of K.A.R. 28-35-133 through K.A.R. 28-35-363 shall be considered to fulfill this requirement if the report contains all of the information required under this paragraph. The report shall include the following:

- (A) a description of the event, including the probable cause, and the name of the manufacturer and the model number, if applicable, of any equipment that failed or malfunctioned;
- (B) a description of the exact location of the event;
- (C) the isotopes, quantity, and chemical and physical form of the licensed material involved;
- (D) the date and time of the event;
- (E) a description of corrective actions taken or planned and the results of any evaluations or assessments; and

(F) a description of the extent to which individuals were exposed to radiation or to radioactive materials, without identifying individuals by name. (Authorized by and implementing K.S.A. 48-1607; effective Nov. 1, 1996.)

28-35-193b. Emergency plan criteria. (a) Each application to possess radioactive materials in amounts in excess of the quantities in K.A.R. 28-35-202, "Schedule H - Quantities of Radioactive Materials Requiring Consideration of the Need for an Emergency Plan for Responding to a Release," whether in unsealed form, on foils or plated sources, or sealed in glass, shall contain either:

(1) An evaluation showing that the maximum dose to a person offsite due to a release of radioactive materials would not exceed one rem effective dose equivalent or five rems to the thyroid; or

(2) an emergency plan for responding to a release of radioactive material.

(b) The applicant may use one or more of the following factors to support the evaluation submitted under K.A.R. 28-35-193b (a)(1):

(1) Portions of the radioactive material are physically separated from the rest of the material so that only a portion could be involved in an accident;

(2) all or part of the radioactive material would not be subject to release during an accident because of the way it is stored or packaged;

(3) the release fraction in the respirable size range would be lower than the release fraction shown in K.A.R. 28-35-202, due to the chemical or physical form of the material;

(4) the solubility of the radioactive material would reduce the dose received;

(5) facility design or engineered safety features in the facility would cause the release fraction to be lower than the limits shown in K.A.R. 28-35-202;

(6) operating restrictions or procedures would prevent a release fraction as large as the limits shown in K.A.R. 28-35-202; or

(7) other factors appropriate for the specific facility.

(c) Each emergency plan for responding to a release of radioactive material submitted under K.A.R. 28-35-193b (a)(2) shall include the following information.

(1) Facility description. Each plan shall contain a brief description of the licensee's facility and the area near the site.

(2) Types of accidents. Each type of radioactive materials accident for which protective actions may be needed shall be identified in the plan.

(3) Classification of accidents. Each plan shall include a classification system for classifying accidents as alerts or site-area emergencies.

(4) Detection of accidents. The plan shall identify the means which will be used to detect each type of accident in a timely manner.

(5) Mitigation of consequences. Each plan shall contain a brief description of the means and equipment for mitigating the consequences of each type of accident, including those provided to protect workers on-site, and a description of the program for maintaining the equipment.

(6) Assessment of releases. The plan shall include a brief description of the methods and equipment which will be used to assess releases of radioactive materials.

(7) Responsibilities. Each plan shall contain a brief description of the responsibilities of the licensee's personnel if an accident occurs, including:

(A) a list of personnel responsible for promptly notifying offsite response organizations and the department; and

(B) a list of personnel who are responsible for developing, maintaining, and updating the plan.

(8) Notification and coordination. Each plan shall contain a commitment to and a brief description of the means to promptly notify offsite response organizations of any

accident and request offsite assistance, including medical assistance for the treatment of contaminated and injured onsite workers when appropriate. The licensee shall establish a control point. Each licensee's planned notifications and coordinations shall be prepared so that the unavailability of some personnel, parts of the facility, or equipment will not prevent the notification and coordination. The licensee shall also make a written commitment to notify the department immediately after notification of the appropriate offsite response organizations and not later than one hour after the licensee declares an emergency. These reporting requirements shall not supersede or release any licensee from the duty of complying with the requirements under the emergency planning and community right-to-know act of 1988 title III, Pub.L. 99-499, or other state or federal reporting requirements.

(9) Information to be communicated. Each plan shall contain a brief description of the types of information regarding the facility's status, radioactive releases, and recommended protective actions, if necessary, which will be given to each off-site response organization and to the department.

(10) Training. The plan shall include a brief description of the plans for training that the licensee will provide to workers regarding responses to an emergency including the following:

(A) the proposed frequency of training sessions;

(B) the performance objectives and plans for the training; and

(C) any special instructions and orientation tours the licensee would offer to fire, police, medical and other emergency personnel. The training shall familiarize personnel with site-specific emergency procedures. The training also shall thoroughly prepare site personnel for their responsibilities in the event of the accident scenarios postulated as most probable for the specific site, including the use of team training for such scenarios.

(11) Safe shutdown. A brief description of the means of restoring the facility to a safe condition after an accident shall be included in the plan.

(12) Exercises. The plan shall include provisions for conducting quarterly communications checks with offsite response organizations and biennial on-site exercises to test response to simulated emergencies.

(A) During each quarterly communication check with off-site response organizations, the licensee shall check and update all necessary telephone numbers.

(B) Each licensee shall invite off-site response organizations to participate in the biennial exercises. Participation of offsite response organizations in biennial exercises is recommended but not required. During the exercises each licensee shall use accident scenarios postulated as the most probable for that specific site and the scenarios shall not be known to most exercise participants.

(C) The licensee shall critique each exercise using individuals not having direct implementation responsibility for the plan. Critiques of exercises shall evaluate the appropriateness of the plan, emergency procedures, facilities, equipment, training of personnel, and overall effectiveness of the response. Each licensee shall correct each deficiency found by the critiques.

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(13) Hazardous chemicals. Each plan shall contain a certification that the applicant has met its responsibilities under the emergency planning and community right-to-know act of 1986, title III, Pub. L. 99-499, if applicable to the applicant's activities at the proposed place of use of the radioactive material.

(d) Each licensee shall allow the off-site response organizations expected to respond in case of an accident 60 days to comment on the licensee's emergency plan before submitting it to the department. The licensee shall provide all comments received within the 60-day period to the department with the emergency plan. (Authorized by and implementing K.S.A. 48-1607; effective Nov. 1, 1996.)

28-35-201. Schedule F. (a) Single isotope quantities.

Material	Microcuries
Americium-241	.01
Antimony-122	100
Antimony-124	10
Antimony-125	10
Arsenic-73	100
Arsenic-74	10
Arsenic-76	10
Arsenic-77	100
Barium-131	10
Barium-133	10
Barium-140	10
Bismuth-210	1
Bromine-82	10
Cadmium-109	10
Cadmium-115m	10
Cadmium-115	100
Calcium-45	10
Calcium-47	10
Carbon-14	100
Cerium-141	100
Cerium-143	100
Cerium-144	1
Cesium-131	1,000
Cesium-134m	100
Cesium-134	1
Cesium-135	10
Cesium-136	10
Cesium-137	10
Chlorine-36	10
Chlorine-38	10
Chromium-51	1,000
Cobalt-58m	10
Cobalt-58	10
Cobalt-60	1
Copper-64	100
Dysprosium-165	10
Dysprosium-166	100
Erbium-169	100
Erbium-171	100
Europium-152 9.2hr	100
Europium-152 13yr	1
Europium-154	1
Europium-155	10
Fluorine-18	1,000
Gadolinium-153	10
Gadolinium-159	100

Gallium-72	10
Germanium-71	100
Gold-198	100
Gold-199	100
Hafnium-181	10
Holmium-166	100
Hydrogen-3	1,000
Indium-113m	100
Indium-114m	10
Indium-115m	100
Indium-115	10
Iodine-125	1
Iodine-126	1
Iodine-129	0.1
Iodine-131	1
Iodine-132	10
Iodine-133	1
Iodine-134	10
Iodine-135	10
Iridium-192	10
Iridium-194	100
Iron-55	100
Iron-59	10
Krypton-85	100
Krypton-87	10
Lanthanum-140	10
Lutetium-177	100
Manganese-52	10
Manganese-54	10
Manganese-56	10
Mercury-197m	100
Mercury-197	100
Mercury-203	10
Molybdenum-99	100
Neodymium-147	100
Neodymium-149	100
Nickel-59	100
Nickel-63	10
Nickel-65	100
Niobium-93m	10
Niobium-95	10
Niobium-97	10
Osmium-185	10
Osmium-191m	100
Osmium-191	100
Osmium-193	100
Palladium-103	100
Palladium-109	100
Phosphorus-32	10
Platinum-191	100
Platinum-193m	100
Platinum-193	100
Platinum-197m	100
Platinum-197	100
Plutonium-239	.01
Polonium-210	.1
Potassium-42	10
Praseodymium-142	100
Praseodymium-143	100
Promethium-147	10
Promethium-149	10
Radium-226	.01

Rhenium-186	100	Yttrium-91	10
Rhenium-188	100	Yttrium-92	100
Rhodium-103m	100	Yttrium-93	100
Rhodium-105	100	Zinc-65	10
Rubidium-86	10	Zinc-69m	100
Rubidium-87	10	Zinc-69	1,000
Ruthenium-97	100	Zirconium-93	10
Ruthenium-103	10	Zirconium-95	10
Ruthenium-105	10	Zirconium-97	10
Ruthenium-106	1	Any alpha-emitting radionuclide not listed above or mixture of alpha-emitters of unknown com- position01
Samarium-151	10	Any radionuclide other than an alpha-emitting radionuclide that is not listed above or mixtures of beta-emitters of unknown com- position	1
Samarium-153	100	¹ Based on an alpha disintegration rate of Th-232, Th-230 and their daughter products.	
Scandium-46	10	² Based on an alpha disintegration rate of U-238, U-234 and U-235.	
Scandium-47	100		
Scandium-48	10		
Selenium-75	10		
Silicon-31	100		
Silver-105	10		
Silver-110m	1		
Silver-111	100		
Sodium-24	10		
Strontium-85	10	(b) Combinations of isotopes. For the purposes of K.A.R. 28-35-180, when a combination of isotopes in known amounts is involved, the limit for the combination shall be derived by determining, for each isotope in the combination, the ratio between the quantity present in the combination and the limit otherwise established for the specific isotope when not in combination. The sum of such ratios for all the isotopes in the combination shall not exceed unity. (Authorized by and implementing K.S.A. 48-1607; effective Nov. 1, 1996.)	
Strontium-89	1	28-35-202. Schedule H. Each licensee possessing any of the following quantities of radioactive materials shall comply with K.A.R. 28-35-193b (a). The release frac- tions listed below shall be used in the consideration of the need for an emergency plan for responding to a release unless other data regarding release fractions in respirable size range is available.	
Strontium-90	1		
Strontium-91	10		
Strontium-92	10		
Sulfur-35	100		
Tantalum-182	10		
Technetium-96	10		
Technetium-97m	100		
Technetium-97	100		
Technetium-99m	100		
Technetium-99	10		
Tellurium-125m	10		
Tellurium-127m	10		
Tellurium-127	100		
Tellurium-129m	10		
Tellurium-129	100		
Tellurium-131m	10		
Tellurium-132	10		
Terbium-160	10		
Thallium-200	100		
Thallium-201	100		
Thallium-202	100		
Thallium-204	10		
Thorium (natural) ¹	100		
Thulium-170	10		
Thulium-171	10		
Tin-113	10		
Tin-125	10		
Tungsten-181	10		
Tungsten-185	10		
Tungsten-187	100		
Uranium (natural) ²	100		
Uranium-23301		
Uranium-234—23501		
Vanadium-48	10		
Xenon-131m	1,000		
Xenon-133	100		
Xenon-135	100		
Ytterbium-175	100		
Yttrium-90	10		
		Radioactive material	Release fraction
		Actinium-228	0.001
		Americium-241	0.001
		Americium-242	0.001
		Americium-243	0.001
		Antimony-124	0.01
		Antimony-126	0.01
		Barium-133	0.01
		Barium-140	0.01
		Bismuth-207	0.01
		Bismuth-210	0.01
		Cadmium-109	0.01
		Cadmium-113	0.01
		Calcium-45	0.01
		Californium-252	0.001
		Carbon-14	0.01
		Non CO	
		Cerium-141	0.01
		Cerium-144	0.01
		Cesium-134	0.01
		Cesium-137	0.01
			Quantity (curies)
			4,000
			2
			2
			2
			4,000
			6,000
			10,000
			30,000
			5,000
			600
			1,000
			80
			20,000
			9 (20 mg)
			50,000
			10,000
			300
			2,000
			3,000

(continued)

Chlorine-36	0.5	100	Zirconium-93	0.01	400
Chromium-51	0.01	300,000	Zirconium-95	0.01	5,000
Cobalt-60	0.001	5,000	Any other beta-gamma emitter	0.01	10,000
Copper-64	0.01	200,000	Mixed fission products	0.01	1,000
Curium-242	0.001	60	Mixed corrosion products	0.01	10,000
Curium-243	0.001	3	Equipment contaminated with radioactive material beta-gamma emissions equivalent to	0.001	10,000
Curium-244	0.001	4	Irradiated material, in any form which is not solid and non-combustible	0.01	10,000
Curium-245	0.001	2	Irradiated material, which is solid and noncombustible	0.001	10,000
Europium-152	0.01	500	Mixed radioactive waste, beta-gamma emissions equivalent to	0.01	1,000
Europium-154	0.01	400	Packaged mixed waste, beta-gamma ¹	0.001	10,000
Europium-155	0.01	3,000	Any other material emitting alpha radiation equivalent to	0.001	2
Germanium-68	0.01	2,000	Equipment contaminated with radioactive material alpha emissions equivalent to	0.0001	20
Gadolinium-153	0.01	5,000	Packaged waste containing material emitting alpha ¹ radiation	0.0001	20
Gold-198	0.01	30,000	Combinations of radioactive materials listed above ²		
Hafnium-172	0.01	400			
Hafnium-181	0.01	7,000			
Holmium-166m	0.01	100			
Hydrogen-3	0.5	20,000			
Iodine-125	0.5	10			
Iodine-131	0.5	10			
Indium-114m	0.01	1,000			
Iridium-192	0.001	40,000			
Iron-55	0.01	40,000			
Iron-59	0.01	7,000			
Krypton-85	1.0	6,000,000			
Lead-210	0.01	8			
Manganese-56	0.01	60,000			
Mercury-203	0.01	10,000			
Molybdenum-99	0.01	30,000			
Neptunium-237	0.001	2			
Nickel-63	0.01	20,000			
Niobium-94	0.01	300			
Phosphorus-32	0.5	100			
Phosphorus-33	0.5	1,000			
Polonium-210	0.01	10			
Potassium-42	0.01	9,000			
Promethium-145	0.01	4,000			
Promethium-147	0.01	4,000			
Ruthenium-106	0.01	200			
Samarium-151	0.01	4,000			
Scandium-46	0.01	3,000			
Selenium-75	0.01	10,000			
Silver-110m	0.01	1,000			
Sodium-22	0.01	9,000			
Sodium-24	0.01	10,000			
Strontium-89	0.01	3,000			
Strontium-90	0.01	90			
Sulfur-35	0.5	900			
Technetium-99	0.01	10,000			
Technetium-99m	0.01	400,000			
Tellurium-127m	0.01	5,000			
Tellurium-129m	0.01	5,000			
Terbium-160	0.01	4,000			
Thulium-170	0.01	4,000			
Tin-113	0.01	10,000			
Tin-123	0.01	3,000			
Tin-126	0.01	1,000			
Titanium-44	0.01	100			
Vanadium-48	0.01	7,000			
Xenon-133	1.0	900,000			
Yttrium-91	0.01	2,000			
Zinc-65	0.01	5,000			

¹ Waste packaged in type B containers shall not require an emergency plan.

² For combinations of radioactive materials, the licensee shall comply with K.A.R. 28-35-193b(a) if the sum of the ratios of the quantity of each radioactive material authorized to the quantity listed for that material in Schedule C exceeds one. (Authorized by and implementing K.S.A. 48-1607; effective Nov. 1, 1996.)

28-35-203. Schedule G—Criteria relating to use of financial tests and parent company guarantees for providing reasonable assurance of funds for decommissioning. (a) Each applicant or licensee providing assurance of the availability of funds for decommissioning based on a parent company guarantee that funds will be available for decommissioning costs based on a demonstration that the parent company passes a financial test shall meet the following standards:

(b) Each licensee or applicant applying to the department for recognition of a parent company guarantee for the purposes of complying with the requirements of 28-35-180a(e)(9)(B) shall be required to show its parent company guarantee meets the following criteria:

(1) Each parent company shall meet two of the following three ratios.

(A) a ratio of total liabilities to net worth which is less than 2.0;

(B) a ratio of the sum of net income plus depreciation, depletion, and amortization to total liabilities which is greater than 0.1; or

(C) a ratio of current assets to current liabilities which is greater than 1.5.

(2) Each parent company shall have net working capital and tangible net worth that each are equal to a min-

imum of six times the current decommissioning cost estimates, or the prescribed amount if a certification is used based on the requirements of K.A.R. 28-35-180a.

(3) Each parent company shall have assets located in the United States amounting to at least 90 percent of the company's total assets or at least six times the current decommissioning cost estimates, or the prescribed amount if a certification is used based on the requirements of K.A.R. 28-35-180a.

(4) Each parent company shall have:

(A) A current rating for its most recent bond issuance of AAA, AA, A, or BBB as issued by standard and poor's or Aaa, Aa, A, or Baa as issued by moody's;

(B) A tangible net worth at least six times the current decommissioning cost estimate, or the prescribed amount if a certification is used based on the requirements of K.A.R. 28-35-180a;

(C) A tangible net worth of at least \$10 million; and

(D) Assets located in the United States amounting to at least 90 percent of the company's total assets or at least six times the current decommissioning cost estimates, or the prescribed amount if certification is used based on the requirements of K.A.R. 28-35-180a.

(c) The parent company's independent certified public accountant shall compare the data used by the parent company in the financial test, which shall be derived from the independently audited, year end financial statements for the latest fiscal year, with the amounts in such financial statement. If any matters come to the auditor's attention which cause the auditor to believe that the data specified in the financial test should be adjusted and that the company no longer passes the test, the licensee shall notify the department within 90 days of the date the auditor identifies such a matter.

(d) After the initial financial test, the parent company shall pass the test within 90 days after the close of each succeeding fiscal year.

(1) If the parent company no longer meets the requirements of subsection (a) of this Schedule G, the licensee shall notify the department of its intent to establish alternate financial assurance as specified in the regulations.

(2) The notice shall be sent by certified mail within 90 days after the end of the fiscal year for which the year end financial data shows that the parent company no longer meets the financial test requirements.

(3) The licensee shall provide alternate financial assurance within 120 days after the end of such a fiscal year.

(e) Each parent company guarantee obtained by an applicant or licensee shall contain terms which provide the following information.

(1) The parent company guarantee shall remain in force unless the guarantor sends notice of cancellation by certified mail to the licensee and the department. The guarantee shall not be canceled during the 120 days beginning on the date of receipt of the notice of cancellation by both the licensee and the department, as evidenced by the return receipts.

(2) If the licensee fails to provide alternate financial assurance within 90 days after receipt of a notice of cancellation of the parent company guarantee by the licensee and the department, the guarantor shall provide such alternative financial assurance in the name of the licensee.

(3) The parent company guarantee and financial test provisions shall remain in effect until the department has terminated the license.

(4) If a trust is established for decommissioning costs, the trustee and trust shall be acceptable to the department. An acceptable trustee may be an appropriate state or federal government agency or an entity which has the authority to act as a trustee and whose trust operations are regulated and examined by a federal or state agency. (Authorized by and implementing K.S.A. 48-1607; effective Nov. 1, 1996.)

28-35-290. Reports of incidents, lost or stolen sources. (a) Each licensee shall provide a written report of all events involving radiography devices and licensed material as required pursuant to K.A.R. 28-35-184b, 28-35-228a, 28-35-229a, and 28-35-230a.

(b) In addition to the requirements in subsection (a), each licensee shall provide a written report to the department within 30 days of the occurrence of any of the following incidents involving radiographic equipment:

(1) Unintentional disconnection of the source assembly from the control cable;

(2) inability to retract the source assembly to its fully shielded position and secure it in this position; or

(3) failure of any component which is critical to safe operation of the device to perform its intended function.

(c) Each licensee shall include the following information in each report submitted under subsection (b):

(1) A description of the equipment problem;

(2) a description of the cause of each incident, if known;

(3) the name of the manufacturer and the model number of the equipment involved in the incident;

(4) the place, time and date of incident;

(5) a description of the actions taken to establish normal operations;

(6) a description of all corrective actions taken or planned to prevent reoccurrence; and

(7) a description of the qualifications of personnel involved in the incident.

(d) Each report of overexposure submitted pursuant to these regulations which involves failure of the safety components of radiography equipment shall also include the information specified in subsection (c). (Authorized by and implementing K.S.A. 48-1607; effective Nov. 1, 1996.)

28-35-291. Performance requirements for radiography equipment. (a) Each radiographic exposure device and all associated equipment shall meet the requirements specified in "Radiological Safety for Design and Construction of Apparatus for Gamma Radiography," published by the American national standards institute as NBS Handbook 136, issued January, 1981 (ANSI N432-1980 standards). As an alternative, any licensee or applicant may submit an engineering analysis demonstrating that testing previously performed on similar individual radiography components is adequate to support a finding that the previous testing is an acceptable substitute for that described in the N432-1980 standards.

(continued)

(b) In addition to the requirements specified in K.A.R. 28-35-291 (a), each radiographic exposure device and associated equipment shall meet the following requirements.

(1) Each user of a radiographic exposure device shall attach to the device a durable, legible, clearly visible label bearing the following information:

- (i) the chemical symbol and mass number of the radionuclide in the device;
- (ii) the radioactive activity level and the date on which this activity was last measured;
- (iii) the model number and serial number of the sealed source;
- (iv) the manufacturer of the sealed source; and
- (v) the licensee's name, address, and telephone number.

(2) Each radiographic exposure device intended for use as a type B transport container shall meet the applicable requirements of 10 CFR 71.51 adopted by the U.S. nuclear regulatory commission, as in effect on April 15, 1992.

(3) The licensee shall not modify any exposure device or associated equipment in a manner that would compromise the design safety features of the system.

(c) In addition to the requirements specified in K.A.R. 28-35-291 (a) and (b), each radiographic exposure device and associated equipment that allows the source to be moved out of the device for routine operation shall comply with the following requirements:

(1) The coupling between the source assembly and the control cable shall be designed so that the source assembly cannot become disconnected if cranked outside the guide tube. The coupling shall be designed to prevent an unintentional disconnection under normal and reasonably foreseeable abnormal conditions.

(2) The device shall automatically secure the source assembly when it is cranked back into the fully shielded position in the device. A deliberate operation on the exposure device shall be required to release the source assembly.

(3) The outlet fitting, lock box, and drive cable fittings on each radiographic exposure device shall be equipped with safety plugs or covers, which shall be installed during storage and transportation to protect the source assembly from water, mud, sand, or other foreign matter.

(4) Each sealed source or source assembly shall have attached to it or engraved on it a durable, legible, visible label with the words: "DANGER RADIOACTIVE." The label shall not interfere with the safe operation of the exposure device or associated equipment.

(5) The guide tube shall have passed the crushing tests for the control tube as specified in ANSI N432-1980 standards and a kinking resistance test that closely approximates the kinking forces likely to be encountered during use.

(6) Guide tubes shall be used when moving the source out of the device.

(7) An exposure head or similar device shall be used to prevent the source assembly from passing out of the end of the guide tube during radiographic operations.

(8) The guide tube exposure head connection shall be able to withstand the tensile test for control units specified in ANSI N432-1980 standards.

(9) Each source changer shall provide a system for assuring that the source will not accidentally be withdrawn from the changer when connecting or disconnecting the drive cable to or from a source assembly.

(d) Each licensee shall only acquire newly manufactured radiographic exposure devices and associated equipment which complies with the requirements of this regulation after January 10, 1995.

(e) Each licensee shall only use radiographic exposure devices and associated equipment which complies with the requirements of this regulation after January 10, 1995.

(f) Any licensee may use equipment in industrial radiographic operations which does not comply with section 8.9.2(c) of the endurance test in ANSI N432-1980 standards, if prototype equipment has been tested using a torque that an individual using the radiography equipment can realistically exert on the lever or crankshaft of the drive mechanism. (Authorized by and implementing K.S.A. 48-1607; effective Nov. 1, 1996.)

28-35-362. Notification of incidents, abandonment, and lost sources. (a) The licensee shall notify the department of any incidents and sources lost in other than downhole logging operations in accordance with K.A.R. 28-35-184b, 28-35-228a, 28-35-229a and 28-35-230a.

(b) Whenever a sealed source or device containing radioactive material is lodged downhole, the licensee shall:

(1) monitor at the surface for the presence of radioactive contamination with a radiation survey instrument or logging tool during logging tool recovery operations; and

(2) notify the department immediately by telephone and subsequently, within 30 days, by confirmatory written report if the licensee knows or has reason to believe that a sealed source has been ruptured. This written report shall identify the well or other location, describe the magnitude and extent of the escape of radioactive material, assess the consequences of the rupture, and explain efforts planned or being taken to mitigate these consequences.

(c) If it becomes apparent that efforts to recover the radioactive source will not be successful, the licensee shall comply with the following requirements.

(1) The licensee shall advise the well-operator of the following requirements regarding the method of abandonment:

(A) The well-operator shall immobilize and seal the radioactive source in place with a cement plug.

(B) The well-operator shall set in place a whipstock or other deflection device.

(C) The well-operator shall mount a permanent identification plaque at the surface of the well, containing the appropriate information required by this regulation.

(2) The licensee shall notify the department by telephone, giving the circumstances of the loss, and request approval of the proposed abandonment procedures.

(3) The licensee shall file a written report with the department within 30 days of the abandonment, setting forth the following information:

(A) the date of occurrence and a brief description of attempts to recover the source;

(B) a description of the radioactive source involved, including the radionuclide, quantity, and chemical and physical form;

- (C) a description of the surface location and identification of well;
 - (D) the results of efforts to immobilize and set the source in place;
 - (E) the depth of the radioactive source;
 - (F) the depth of the top of the cement plug;
 - (G) the depth of the well; and
 - (H) the information contained on the permanent identification plaque.
- (d) Whenever a sealed source containing radioactive material is abandoned downhole, the licensee shall provide a permanent plaque as described in K.A.R. 28-35-364 for posting on the well or well-bore. The plaque shall:
- (1) be constructed of long-lasting material, which may include stainless steel or monel; and
 - (2) contain the following information engraved on its face:
 - (A) the word "CAUTION";
 - (B) the radiation symbol, without the conventional color requirement;
 - (C) the date of abandonment;
 - (D) the name of the well operator or well owner;
 - (E) the well name and well identification number or numbers or other designation;
 - (F) a description of the sealed source or sources, by radionuclide and quantity of activity;

- (G) the source depth and the depth to the top of the plug; and
- (H) an appropriate warning which, depending on the specific circumstances of that abandonment, shall include:
 - (i) "Do not drill below plug back depth";
 - (ii) "do not enlarge casing"; or
 - (iii) "do not reenter the hole before contacting the Kansas department of health and environment radiation control program"; and
- (3) be a minimum of seven inches square. The word caution shall be written in 1/2-inch letters and all other information shall be written in 1/4-inch letters.
- (e) Each licensee shall immediately notify the department by telephone, and subsequently by confirming letter, if the licensee knows or has reason to believe that radioactive material has been lost in or to an underground potable water source. The notice shall designate the well location and shall describe the magnitude and extent of loss of radioactive material, assess the consequences of such loss, and explain efforts planned or being taken to mitigate these consequences. (Authorized by and implementing K.S.A. 48-1607; effective Sept. 20, 1993; amended Nov. 1, 1996.)

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018259

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 1996 Supplement to the *Kansas Administrative Regulations*.

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1-1-2	Revoked	V. 15, p. 704
1-1-3	Revoked	V. 15, p. 704
1-1-4	Revoked	V. 15, p. 704
1-2-53	Revoked	V. 15, p. 704
1-2-57	Amended	V. 15, p. 704
1-2-72	Amended	V. 15, p. 704
1-2-88	Amended	V. 15, p. 704
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1-3-3	Revoked	V. 15, p. 704
1-3-4	Revoked	V. 15, p. 704
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1-6-23	Amended	V. 15, p. 708

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1-6-31	Amended	V. 15, p. 708
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9-19-1		
through		
9-19-11	Amended	V. 15, p. 1094-1099
9-25-1		
through		
9-25-15	New	V. 15, p. 1100-1106

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-8-8	Amended	V. 15, p. 1401

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-2-1	Amended	V. 15, p. 375
16-5-1	Amended	V. 15, p. 375
16-5-4	Amended	V. 15, p. 375
16-5-5	Amended	V. 15, p. 376
16-6-1	Amended	V. 15, p. 376

AGENCY 17: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
17-1-1	New	V. 15, p. 1130
17-9-1		
through		
17-9-10	New	V. 15, p. 1130, 1131
17-10-1	Revoked	V. 15, p. 1131
17-11-1		
through		
17-11-12	Revoked	V. 15, p. 1131
17-11-13	Amended	V. 15, p. 1131
17-11-14	Amended	V. 15, p. 1380
17-11-15		
through		
17-11-19	Amended	V. 15, p. 1131, 1132
17-11-20	Revoked	V. 15, p. 1132
17-11-21	Amended	V. 15, p. 1132
17-11-23	New	V. 15, p. 1132
17-12-1	Amended	V. 15, p. 1132
17-12-2	Amended	V. 15, p. 1132
17-16-1	Amended	V. 15, p. 1132
17-16-2	Amended	V. 15, p. 1132
17-16-3	Revoked	V. 15, p. 1133
17-16-4	Amended	V. 15, p. 1133

(continued)

17-16-5 through 17-16-8	Revoked	V. 15, p. 1133
17-16-9	Amended	V. 15, p. 1133
17-17-1 through 17-17-10	Amended	V. 15, p. 1133, 1134
17-18-1 through 17-18-4	Revoked	V. 15, p. 1134
17-21-1 through 17-21-6	Amended	V. 15, p. 1134, 1135
17-21-7	Revoked	V. 15, p. 1135
17-21-8	Amended	V. 15, p. 1135

AGENCY 24: KANSAS WHEAT COMMISSION

Reg. No.	Action	Register
24-1-1	Amended	V. 15, p. 703

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-1-1	Revoked	V. 15, p. 138
25-3-3	Amended	V. 15, p. 138
25-4-1	Revoked	V. 15, p. 1380
25-4-4	Amended	V. 15, p. 1538

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-5-6	Amended	V. 15, p. 1032
26-5-9	New	V. 15, p. 1052
26-5-10	New	V. 15, p. 1052

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-9	Revoked	V. 15, p. 550
28-1-10	Revoked	V. 15, p. 550
28-1-13	Amended	V. 15, p. 970
28-1-14	Amended	V. 15, p. 970
28-1-15	Amended	V. 15, p. 971
28-1-19	Revoked	V. 15, p. 550
28-1-21	Revoked	V. 15, p. 550
28-1-22	Revoked	V. 15, p. 550
28-3-5	Revoked	V. 15, p. 550
28-3-6	Revoked	V. 15, p. 550
28-4-72	Revoked	V. 15, p. 551
28-4-431	Revoked	V. 15, p. 551
28-4-506	Revoked	V. 15, p. 551
28-4-507	Revoked	V. 15, p. 551
28-4-508	Revoked	V. 15, p. 551
28-4-558 through 28-4-563	Amended	V. 15, p. 490-494
28-4-567	Amended	V. 15, p. 494
28-4-570	Amended	V. 15, p. 495
28-5-8	Revoked	V. 15, p. 551
28-6-1	Revoked	V. 15, p. 551
28-6-2	Revoked	V. 15, p. 551
28-7-1 through 28-7-9	Revoked	V. 15, p. 551
28-8-1	Revoked	V. 15, p. 551
28-10-36	Revoked	V. 15, p. 551
28-10-40	Revoked	V. 15, p. 551
28-10-41	Revoked	V. 15, p. 551
28-11-1 through 28-11-6	Revoked	V. 15, p. 551
28-13-10	Revoked	V. 15, p. 551
28-13-11	Revoked	V. 15, p. 551
28-16-50 through 28-16-54	Revoked	V. 15, p. 551
28-16-56a	Revoked	V. 15, p. 1402
28-16-56b	Revoked	V. 15, p. 1402
28-16-56c	New	V. 15, p. 1402
28-16-56d	New	V. 15, p. 1403
28-16-59	Amended	V. 15, p. 1403
28-16-65	Revoked	V. 15, p. 551
28-16-67	Revoked	V. 15, p. 551
28-17-5	Revoked	V. 15, p. 551
28-17-8	Revoked	V. 15, p. 551
28-19-45	Revoked	V. 15, p. 183

28-19-46	Revoked	V. 15, p. 183
28-19-47	Revoked	V. 15, p. 183
28-19-83 through 28-19-96	Revoked	V. 15, p. 551
28-19-98	Revoked	V. 15, p. 551
28-19-98a	Revoked	V. 15, p. 551
28-19-99 through 28-19-108	Revoked	V. 15, p. 552
28-19-108a	Revoked	V. 15, p. 552
28-19-109	Revoked	V. 15, p. 552
28-19-119 to 28-19-121a	Revoked	V. 15, p. 552
28-19-123	Revoked	V. 15, p. 552
28-19-124	Revoked	V. 15, p. 552
28-19-125	Revoked	V. 15, p. 552
28-19-127 through 28-19-131	Revoked	V. 15, p. 552
28-19-133 through 28-19-141	Revoked	V. 15, p. 552
28-19-149 through 28-19-162	Revoked	V. 15, p. 552
28-19-202	Amended	V. 15, p. 257
28-19-645	New	V. 15, p. 183
28-19-646	New	V. 15, p. 183
28-19-647	New	V. 15, p. 183
28-19-648	New	V. 15, p. 184
28-19-800	New	V. 15, p. 257
28-19-801	New	V. 15, p. 258
28-21-3	Revoked	V. 15, p. 552
28-21-90a	Revoked	V. 15, p. 552
28-21-91a	Revoked	V. 15, p. 552
28-21-91b	Revoked	V. 15, p. 552
28-21-92a	Revoked	V. 15, p. 552
28-21-93a	Revoked	V. 15, p. 552
28-21-94a	Revoked	V. 15, p. 552
28-21-96a	Revoked	V. 15, p. 552
28-21-98a	Revoked	V. 15, p. 552
28-21-99a	Revoked	V. 15, p. 552
28-21-102 through 28-21-112	Revoked	V. 15, p. 552
28-23-5	Revoked	V. 15, p. 552
28-23-8	Revoked	V. 15, p. 552
28-23-14	Revoked	V. 15, p. 552
28-23-15	Revoked	V. 15, p. 552
28-23-25	Revoked	V. 15, p. 552
28-23-33	Revoked	V. 15, p. 552
28-23-60 through 28-23-66	Revoked	V. 15, p. 552
28-23-69	Revoked	V. 15, p. 552
28-23-72	Revoked	V. 15, p. 553
28-23-74	Revoked	V. 15, p. 553
28-23-76	Revoked	V. 15, p. 553
28-23-77	Revoked	V. 15, p. 553
28-26-80 through 28-26-87	Revoked	V. 15, p. 553
28-26-90a	Revoked	V. 15, p. 553
28-28-1	Revoked	V. 15, p. 553
28-28-2	Revoked	V. 15, p. 553
28-29-1	Revoked	V. 15, p. 553
28-29-83	Revoked	V. 15, p. 553
28-31-4	Amended	V. 15, p. 297
28-31-10	Amended	V. 15, p. 301
28-33-1	Revoked	V. 15, p. 495
28-33-11	Revoked	V. 15, p. 495
28-33-12	Amended	V. 15, p. 495
28-34-11	Amended	V. 15, p. 497
28-37-10 through 28-37-14	Revoked	V. 15, p. 553
28-41-1 through 28-41-9	Revoked	V. 15, p. 553
28-42-1	Revoked	V. 15, p. 553
28-42-3	Revoked	V. 15, p. 553
28-42-7	Revoked	V. 15, p. 553

28-42-9 through 28-42-16	Revoked	V. 15, p. 553
28-49-1 through 28-49-8	Revoked	V. 15, p. 553

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-63	Amended	V. 15, p. 911
30-4-64	Amended	V. 15, p. 913
30-4-85a	Amended	V. 15, p. 914
30-4-96	Amended	V. 15, p. 915
30-4-121	Revoked	V. 15, p. 915
30-4-130	Amended	V. 15, p. 915
30-5-58	Amended	V. 15, p. 917
30-5-64	Amended	V. 15, p. 923
30-5-70	Amended	V. 15, p. 1017
30-5-81	Amended	V. 15, p. 925
30-5-88	Amended	V. 15, p. 925
30-6-53	Amended	V. 15, p. 1018
30-6-53w	Amended	V. 15, p. 1019
30-6-65	Amended	V. 15, p. 926
30-7-102	Amended	V. 15, p. 927
30-7-103	Amended	V. 15, p. 929
30-7-104	Amended	V. 15, p. 929
30-10-21	Amended	V. 15, p. 929
30-10-217	Amended	V. 15, p. 930
30-10-218	Amended	V. 15, p. 930
30-41-1 through 30-41-5	Revoked	V. 15, p. 930
30-41-6a	Revoked	V. 15, p. 930
30-41-6c through 30-41-6h	Revoked	V. 15, p. 930, 931
30-41-7a through 30-41-7i	Revoked	V. 15, p. 931
30-41-8	Revoked	V. 15, p. 931
30-41-10 through 30-41-20	Revoked	V. 15, p. 931
30-63-1	New	V. 15, p. 931
30-63-10 through 30-63-14	New	V. 15, p. 931-933
30-63-20	New	V. 15, p. 933
30-63-21	New	V. 15, p. 933
30-63-22	New	V. 15, p. 934
30-63-23	New	V. 15, p. 1215
30-63-24 through 30-63-31	New	V. 15, p. 934-937
30-64-1	New	V. 15, p. 937
30-64-10 through 30-64-13	New	V. 15, p. 937
30-64-20 through 30-64-34	New	V. 15, p. 938-942

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-4-17	Amended	V. 15, p. 77
40-4-35	Amended	V. 15, p. 622
40-4-37	Amended	V. 15, p. 77
40-4-37d	Amended	V. 15, p. 78
40-5-109	Amended	V. 15, p. 78

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

Reg. No.	Action	Register
51-9-7	Amended	V. 15, p. 345

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-11-108	Amended	V. 15, p. 115
60-11-109	Revoked	V. 15, p. 115
60-11-112	Revoked	V. 15, p. 115
60-11-114	Revoked	V. 15, p. 115
60-11-117	Revoked	V. 15, p. 115

60-12-106	Amended	V. 15, p. 115
60-12-109	Revoked	V. 15, p. 116
60-13-112	Amended	V. 15, p. 116
60-13-115	Revoked	V. 15, p. 116

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 15, p. 184
66-6-6	Amended	V. 15, p. 185
66-7-3	Amended	V. 15, p. 185
66-8-1	Amended	V. 15, p. 185
66-10-1	Amended	V. 15, p. 185
66-12-1	Amended	V. 15, p. 185
66-14-1 through 66-14-12	New	V. 15, p. 186, 187

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-1-1	Amended	V. 15, p. 292
69-1-2	Amended	V. 15, p. 292
69-1-3	Revoked	V. 15, p. 292
69-1-4	Amended	V. 15, p. 292
69-1-7	Revoked	V. 15, p. 293
69-1-8	Amended	V. 15, p. 293
69-2-1	Revoked	V. 15, p. 293
69-3-1	Amended	V. 15, p. 293
69-3-2	Revoked	V. 15, p. 293
69-3-3	Amended	V. 15, p. 293
69-3-4	Amended	V. 15, p. 294
69-3-5	Revoked	V. 15, p. 294
69-3-6	Amended	V. 15, p. 294
69-3-7	Amended	V. 15, p. 294
69-3-8	Amended	V. 15, p. 742
69-3-9	Amended	V. 15, p. 294
69-3-10	Revoked	V. 15, p. 294
69-3-11	Revoked	V. 15, p. 294
69-3-17	Revoked	V. 15, p. 294
69-3-19	Revoked	V. 15, p. 294
69-3-22 through 69-3-25	Revoked	V. 15, p. 294
69-3-26	New	V. 15, p. 294
69-3-27	New	V. 15, p. 294
69-3-28	New	V. 15, p. 294
69-4-2	Amended	V. 15, p. 294
69-4-6	Revoked	V. 15, p. 295
69-4-9	Amended	V. 15, p. 295
69-4-11	Revoked	V. 15, p. 295
69-4-12	Amended	V. 15, p. 295
69-5-2	Revoked	V. 15, p. 295
69-5-6	Amended	V. 15, p. 295
69-5-10	Revoked	V. 15, p. 295
69-5-13	Revoked	V. 15, p. 295
69-5-14	New	V. 15, p. 295
69-5-15	New	V. 15, p. 295
69-5-16	New	V. 15, p. 295
69-6-1	Revoked	V. 15, p. 295
69-6-2	Amended	V. 15, p. 295
69-6-5	Amended	V. 15, p. 295
69-6-6	Revoked	V. 15, p. 296
69-6-7	Amended	V. 15, p. 296
69-8-2	Revoked	V. 15, p. 296
69-8-3	Revoked	V. 15, p. 296
69-8-4	Revoked	V. 15, p. 296
69-8-6	Revoked	V. 15, p. 296
69-11-1	Amended	V. 15, p. 296
69-11-2	Amended	V. 15, p. 296
69-13-1	Amended	V. 15, p. 296
69-13-2	Amended	V. 15, p. 296
69-14-1 through 69-14-5	New	V. 15, p. 971, 972

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-12-1	Amended	V. 15, p. 1215

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-3	Revoked	V. 15, p. 1129
75-6-4	Revoked	V. 15, p. 1129
75-6-7	Revoked	V. 15, p. 1129

75-6-8	Revoked	V. 15, p. 1129
75-6-9	Amended	V. 15, p. 1379
75-6-10	Revoked	V. 15, p. 1129
75-6-11	Revoked	V. 15, p. 1129
75-6-16	Revoked	V. 15, p. 1129
75-6-17	Revoked	V. 15, p. 1129
75-6-18	Revoked	V. 15, p. 1129
75-6-25	Revoked	V. 15, p. 1129
75-6-29	Revoked	V. 15, p. 1129
75-8-1 through 75-8-11	Revoked	V. 15, p. 1129

AGENCY 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

Reg. No.	Action	Register
80-8-2	Amended	V. 15, p. 1506
80-8-3	Amended	V. 15, p. 1506
80-8-4	Amended	V. 15, p. 1507
80-8-7	Amended	V. 15, p. 1507

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-1-1	Amended	V. 15, p. 697
81-2-1	Amended	V. 15, p. 698
81-3-1	Amended	V. 15, p. 698
81-3-4	Revoked	V. 15, p. 700
81-4-1	Amended	V. 15, p. 700
81-5-1	Revoked	V. 15, p. 701
81-5-2	Revoked	V. 15, p. 701
81-5-3	Amended	V. 15, p. 701
81-5-4	Amended	V. 15, p. 701
81-5-7	Amended	V. 15, p. 701
81-5-9	Amended	V. 15, p. 702
81-6-1	Amended	V. 15, p. 702
81-7-2	Amended	V. 15, p. 703
81-8-1	Revoked	V. 15, p. 703
81-9-1	Revoked	V. 15, p. 703
81-13-1	Revoked	V. 15, p. 703

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-101	Amended	V. 15, p. 1538
82-3-103	Amended	V. 15, p. 1541
82-3-700 through 82-3-704	New	V. 15, p. 1542-1544

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-5	Amended	V. 15, p. 598
86-3-25	Amended	V. 15, p. 1331

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-12-22	Amended	V. 15, p. 226
91-12-61	Amended	V. 15, p. 230

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-69-1 through 100-69-9	New	V. 15, p. 1021, 1022

AGENCY 104: STATE BANKING DEPARTMENT, CONSUMER CREDIT COMMISSIONER AND DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
104-1-2	Amended	V. 15, p. 1129

AGENCY 111: KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 15, p. 1304
111-2-1	Amended	V. 15, p. 881
111-2-2	Amended	V. 12, p. 1261
111-2-2a through 111-2-2e	New	V. 14, p. 1633, 1634
111-2-6	Revoked	V. 13, p. 149
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881

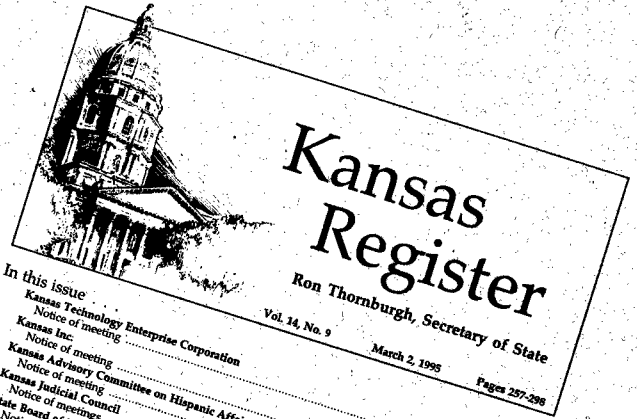
111-2-14	Amended	V. 14, p. 1634
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20 through 111-2-26	Revoked	V. 13, p. 1401
111-2-27	Revoked	V. 14, p. 972
111-2-28	New	V. 12, p. 1844
111-2-29	Revoked	V. 14, p. 972
111-2-30	Amended	V. 15, p. 1180
111-2-31	New	V. 14, p. 170
111-2-32	New	V. 14, p. 311
111-2-33	Amended	V. 14, p. 1741
111-2-34	Amended	V. 14, p. 722
111-2-35	New	V. 14, p. 796
111-2-36	New	V. 14, p. 908
111-2-37	New	V. 14, p. 1094
111-2-38	New	V. 14, p. 1741
111-2-39	New	V. 14, p. 1502
111-2-40	New	V. 14, p. 1502
111-2-41	New	V. 14, p. 1742
111-2-42	New	V. 14, p. 1742
111-2-43	New	V. 15, p. 287
111-2-44	New	V. 15, p. 288
111-2-45	New	V. 15, p. 288
111-2-46	New	V. 15, p. 624
111-2-47	New	V. 15, p. 882
111-2-48	New	V. 15, p. 1055
111-2-49	New	V. 15, p. 1055
111-2-50	New	V. 15, p. 1056
111-2-51	New	V. 15, p. 1440
111-2-52	New	V. 15, p. 1441
111-3-1	Amended	V. 14, p. 908
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. 13, p. 1826
111-3-13	Amended	V. 11, p. 1148
111-3-14	Amended	V. 13, p. 1826
111-3-16	Amended	V. 9, p. 1566
111-3-19 through 111-3-22	Amended	V. 9, p. 30
111-3-19	Revoked	V. 13, p. 1827
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. 13, p. 1827
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	Amended	V. 14, p. 909
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. 14, p. 972
111-4-101	Amended	V. 14, p. 972
111-4-102	Amended	V. 12, p. 1114
111-4-103	Amended	V. 10, p. 1211
111-4-104	Amended	V. 14, p. 972
111-4-105	Amended	V. 14, p. 972

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111-4-106	Amended	V. 14, p. 973	111-4-341a	Revoked	V. 12, p. 1372	111-4-454		
111-4-106a	Amended	V. 14, p. 974	111-4-341b	Amended	V. 12, p. 1372	through		
111-4-107	Amended	V. 11, p. 978	111-4-341c	New	V. 12, p. 1664	111-4-465	Revoked	V. 12, p. 1664, 1665
111-4-108	Amended	V. 14, p. 974	111-4-344	Amended	V. 12, p. 1373	111-4-466		
111-4-110	Amended	V. 11, p. 978	111-4-346			through		
111-4-111	Amended	V. 9, p. 1366	through			111-4-473	New	V. 12, p. 316, 317
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