



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Kansas Water Authority**Notice of Meetings**

The Kansas Water Authority will meet at 9:30 a.m. Thursday, November 8, and at 9 a.m. Friday, November 9, at the Dodge House Hotel and Convention Center, 2408 W. Wyatt Earp Blvd., Dodge City. Meeting information, including a site map, agenda and other materials, will be posted on the Kansas Water Office Web page at www.kwo.org not later October 31 or may be obtained by calling the Kansas Water Office toll free at (888) KAN-WATER (526-9283). Anyone needing special accommodations at the meeting site is asked to contact the Kansas Water Office before the meeting.

Steve Irsik
Chairman

Doc. No. 035014

State of Kansas

Historic Sites Board of Review**Notice of Meeting**

The Kansas Historic Sites Board of Review will meet at 9 a.m. Saturday, December 1, in the classrooms at the Kansas Museum of History on the grounds of the Kansas History Center, 6425 S.W. 6th Ave., Topeka. The board will evaluate the following properties for the National Register of Historic Places and/or the Register of Historic Kansas Places:

National Register of Historic Places

- Late 19th and Early 20th Century Residential Resources of Manhattan Multiple Property Documentation Form — Manhattan, Riley County
- Late 19th Century Vernacular Stone Houses of Manhattan Multiple Property Documentation Form — Manhattan, Riley County
- Feth and Feth Multiple Property Documentation Form — Leavenworth, Leavenworth County
- Besse Hotel — 121 E. 4th St., Pittsburg, Crawford County
- North Topeka Avenue Apartments Historic District — 625, 630, 631, & 632 N. Topeka Ave., Wichita, Sedgwick County
- Ablah House — 102, 104 N. Pinecrest, Wichita, Sedgwick County
- Eagles Lodge #132 — 200, 202 S. Emporia, Wichita, Sedgwick County
- Ranson Hotel — 4918 E. Main, Medora, Reno County
- Katy Hospital & Nurses Quarters — 400 Katy Ave., Pittsburg, Crawford County
- Burr House — 603 W. Spruce, Dodge City, Ford County
- Buffalo Hotel — 111-117 Grant Ave., Garden City, Finney County
- Brown Hotel (nomination amendment) — 519-523 Main St., Neodesha, Wilson County
- Dale Hotel — 206 W. 8th, Coffeyville, Montgomery County
- Kinsley Civil War Monument — Hillside Cemetery, Kinsley, Edwards County

- Lowell Elementary School — 1040 Orville Ave., Kansas City, Wyandotte County
- Wilmer House — 1310 E. 9th Ave., Winfield, Cowley County
- St. Michael Parochial School & Convent — 700, 704 Ainslie Ave., Collyer, Trego County
- Constitution Hall-Topeka — 427, 429 S. Kansas Ave., Topeka, Shawnee County

Register of Historic Kansas Places

- Kansas Soldiers' Home Cemetery — 11560 U.S. Hwy. 400, Fort Dodge, Ford County
- Sts. Peter and Paul Catholic Church — 498 N.E. 110 Ave., Ellinwood vicinity, Barton County

Persons requiring special accommodations should contact Wendy Huggins in the Cultural Resources Division, Kansas State Historical Society, 6425 S.W. 6th Ave., Topeka, 66615-1099, (785) 272-8681, ext. 240, by November 15 to discuss the nature of the disability and what the Kansas State Historical Society may do to ensure participation in the activity.

Jennie Chinn
Executive Director

Doc. No. 035000

(Published in the Kansas Register October 25, 2007.)

Workforce Partnership**Request for Proposals**

The Chief Elected Officials Board and Workforce Investment Board of Kansas Local Area III are issuing a request for proposals to provide youth program operator services under Title I of the Workforce Investment Act. The boards are seeking providers throughout Local Workforce Investment Area III, comprised of Johnson, Leavenworth and Wyandotte counties in Kansas.

To request the RFP package including all specifications, contact Brenda Wilson at (913) 287-1116, by e-mail at brendaw@workforcepartnership.com, or write to Workforce Partnership, 1333 Meadowlark Lane, Suite 102B, Kansas City, KS 66102.

A pre-bid conference will be held at 9 a.m. November 8 in the McCarthy Gallery of the Reardon Civic Center, 500 Minnesota Ave., Kansas City, Kansas. A conference call option will be available for persons unable to attend the conference in person. Participation in the conference, either in person or by conference call, is required for any organization desiring to submit a proposal. Attendees are encouraged to submit questions in writing in advance of the conference to Brenda Wilson at the address above.

All proposals must be received by 3 p.m. December 17 at the address above. The board welcomes all interested organizations to submit proposals.

Brenda J. Wilson
Executive Assistant

Doc. No. 035007

State of Kansas

Wireless Enhanced 911 Advisory Board**Notice of Grant Award Meeting**

The Kansas Wireless Enhanced 911 Advisory Board will meet at 9 a.m. November 8-9 at the League of Kansas Municipalities, conference room, 300 S.W. 8th Ave., Topeka, to determine grant awards for calendar year 2008.

Grant funds are available from the Kansas Wireless Enhanced 911 grant program. The purpose of the grant program is to support local Public Safety Answering Points in making the required improvements to establish wireless enhanced 911 services.

Juliene Maska

Governor's Grants Program Administrator

Doc. No. 035009

State of Kansas

Kansas Insurance Department**Notice of Hearing on Proposed Administrative Regulations**

A public hearing will be conducted at 1:30 p.m. Tuesday, January 15, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of a proposed rule and regulation.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Deletria Nash, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678, via facsimile at (785) 291-3673, or via e-mail at dnash@ksinsurance.org. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Deletria Nash at (785) 296-4140 or via e-mail at dnash@ksinsurance.org.

Any individual desiring a copy of this regulation and/or the policy and procedure that is being adopted by reference, if applicable, may obtain a copy from the department's Web site, www.ksinsurance.org (under the Legal Issues link), or by contacting Deletria Nash. The charge for copies is 50 cents per page.

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

K.A.R. 40-3-52. Fire and casualty insurance; title insurers; controlled business arrangements. This proposed regulation governs the reporting requirements for title insurers and title agents engaged in controlled business arrangements.

The regulation outlines the information that should be included in the report for title insurers and title agents engaged in controlled business arrangements pursuant to K.S.A. 2006 Supp. 40-2404(14)(h).

The fiscal impact on insurers is indeterminable. The impact on consumers, the Kansas Insurance Department and other governmental agencies is minimal, if any.

Sandy Praeger

Kansas Insurance Commissioner

Doc. No. 035003

State of Kansas

Kansas Insurance Department**Notice of Hearing on Proposed Administrative Regulations**

A public hearing will be conducted at 2:30 p.m. Tuesday, January 15, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed changes in an existing rule and regulation.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Deletria Nash, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678, via facsimile at (785) 291-3673, or via e-mail at dnash@ksinsurance.org. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed amendments to the regulation during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Deletria Nash at (785) 296-4140 or via e-mail at dnash@ksinsurance.org.

Any individual desiring a copy of this regulation and/or the policy and procedure that is being adopted by reference, if applicable, may obtain a copy from the department's Web site, www.ksinsurance.org (under the Legal Issues link), or by contacting Deletria Nash. The charge for copies is 50 cents per page.

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

K.A.R. 40-3-12. Fire and casualty insurance companies; rating plans; writing of risks declined in normal market; requirements. This regulation defines terms applicable to rating plans and outlines the requirements for individual risk rating plans.

The proposed amendment to K.A.R. 40-3-12 adds the requirement for carriers offering to an insured or applicant a workers compensation insurance policy with premiums in excess of normal market rates. The proposed amendment also removes repealed statutes and adds current ones. The remaining changes are technical.

There may be minimal economic impact on insurers, consumers, the Kansas Insurance Department and other governmental agencies, if any.

Sandy Praeger

Kansas Insurance Commissioner

Doc. No. 035004

State of Kansas

Kansas Housing Resources Corporation**Notice of Hearing**

The Kansas Housing Resources Corporation will conduct a public hearing on the Housing Tax Credit Program from 10 a.m. to noon Wednesday, November 14, in the main conference room, Suite 300, KPERS Building, 611 S. Kansas Ave., Topeka, to provide citizen input on the program for 2007.

The proposed plan is available for public review at www.kshousingcorp.org. Limited hard copies will be available at the hearing and upon request. The public comment period ends November 14.

Requests for special accommodations to attend the hearing should be made at least five business days in advance of the hearing by calling (785) 296-5865 or fax (785) 296-8985.

Stephen R. Weatherford
President

Doc. No. 035023

State of Kansas

Wildlife and Parks Commission**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, January 10, at the Memorial Hall, 410 N. Penn Ave., Independence, to consider the approval and adoption of proposed administrative regulations of the Kansas Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. January 10 at the location listed above. The meeting will recess at 5:30 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. January 11 at the same location.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sheila Kemmis, commission secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at (800) 432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulations. All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and

Parks, 1020 S. Kansas Ave, Suite 200, Topeka, 66612, or to sheilak@wp.state.ks.us if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

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

K.A.R. 115-4-6. This permanent regulation establishes deer management units within the state of Kansas. The proposed amendments would remove references from this regulation in regard to firearm management units and landowner deer management program areas due to legislation passed by the 2007 Legislature and to the proposed revocation of K.A.R. 115-4-6a and K.A.R. 115-4-14.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies or the public.

K.A.R. 115-4-6a. This permanent regulation establishes deer archery management units within the state of Kansas. The proposed revocation is a result of legislation passed by the 2007 Legislature.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies or the public.

K.A.R. 115-4-14. This permanent regulation established a three-year pilot program for landowner deer management and provided for evaluation following each year of the pilot program. The proposed revocation is a result of legislation passed by the 2007 Legislature.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies or the public.

K.A.R. 115-8-13. This permanent regulation establishes the authorized operation of motorized vehicles and aircraft upon department lands and roads. The proposed amendments provide for the use of all-terrain vehicles, work-site vehicles, golf carts, go-carts and electric or gasoline-powered two-wheeled vehicles upon department lands and roads by a qualified person with a disability.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable economic impact on the department, other agencies or the public.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by writing the chairman of the commission at the address above, electronically on the department's Web site at www.kdwp.state.ks.us, or by calling (785) 296-2281.

Kelly Johnston
Chairman

Doc. No. 035008

State of Kansas

Public Employees Retirement System

Request for Proposals

The Kansas Public Employees Retirement System (KPERs) is conducting a search for nondiscretionary private equity advisory services. Details regarding the assignment are available via the request for proposal document. To obtain a copy of the RFP, please visit www.kpers.org.

All required proposal contents must be received at KPERs by 4 p.m. November 28. All related questions should be in writing and directed to Cheri Woolsey, 611 S. Kansas Ave., Suite 100, Topeka, 66603-3803, or rfp_kpers@kpers.org.

Glenn Deck
Executive Director

Doc. No. 035027

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, 700 S.W. Harrison, fourth floor west wing, Topeka, until 1 p.m. November 14 and then publicly opened:

District One — Northeast

Atchison—3 C-4108-01 — County road 1.3 miles south of Arrington, 0.6 mile, grading, bridge and surfacing. (Federal Funds)

Jackson—43 C-4187-01 — County road 4.3 miles east and 0.5 mile north of Hoyt, 0.3 mile, grading, bridge and surfacing. (Federal Funds)

Jefferson—44 C-4105-01 — County road 2.5 miles south and 0.7 mile west of Meriden, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Lyon—170-56 KA-0951-01 — K-170 from the junction of K-99 east to the Lyon-Osage county line, 8 miles, seal. (State Funds)

Marshall-Nemaha—36-106 KA-1032-01 — U.S. 36 from the junction of K-87 east to the Marshall-Nemaha county line; U.S. 36 from the Marshall-Nemaha county line east to the east city limits of Seneca, 14.7 miles, seal. (State Funds)

Osage—31-70 KA-1027-01 — K-31 from the junction of U.S. 56 south to the junction of K-170; K-31 from the east city limits of Osage City east to the junction of U.S. 75/K-268, 8.2 miles, seal. (State Funds)

Pottawatomie—16-75 KA-0947-01 — K-16 from the north junction of K-99 east to the north junction of K-63, 19.2 miles, seal. (State Funds)

Pottawatomie—63-75 KA-0966-01 — K-63 from the north city limits of St. Marys north to the Pottawatomie-Nemaha county line, 26.8 miles, seal. (State Funds)

Riley-Geary—177-106 KA-1028-01 — K-177 from the Geary-Riley county line north to the south junction of K-18; K-177 from the junction of I-70 north to the Geary-Riley county line, 7.7 miles, overlay. (State Funds)

Shawnee—470-89 KA-0859-01 — I-470, 1 mile southeast of the west junction of U.S. 75, bridge repair. (State Funds)

Shawnee—89 K-9678-01 — MacVicar Avenue I-70 east-bound exit at Topeka, 0.8 mile, grading and surfacing. (Federal Funds)

District Two — Northcentral

Ellsworth—27 C-4231-01 — County road 2.8 miles south and 3.4 miles east of Wilson, 0.2 mile, grading and bridge. (Federal Funds)

Jewell—36-45 K-7408-01 — U.S. 36 at Mankato east 8.7 miles, grading, bridge and surfacing. (Federal Funds)

Geary—40 KA-0874-01 — U.S. 40B, 0.7 mile east of U.S.77 at Junction City, bridge repair. (State Funds)

Geary—70-31 KA-0876-01 — I-70, 2.4 miles east of the west junction of U.S. 40B, bridge repair. (State Funds)

Saline—85 U-2005-01 — Ohio Street from Magnolia Road south to Schilling Road in Salina, 0.6 mile, grading and surfacing. (Federal Funds)

Washington—115-101 KA-0879-01 — K-115, 0.7 mile west of K-9, bridge repair. (State Funds)

District Three — Northwest

Ellis—70-26 KA-1167-01 — I-70 from the Trego-Ellis county line east to the Ellis/Russell county line, 31.2 miles, overlay. (State Funds)

Norton—69 C-4172-01 — County road 2 miles east and 0.5 mile north of Edmond, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Phillips—383-74 KA-1019-01 — K-383 from the Norton-Phillips county line northeast to the junction of U.S.183, 15.4 miles, overlay. (State Funds)

Rooks—183-82 KA-1016-01 — U.S. 183 from the junction of K-18 north to the junction of U.S. 24, 14.1 miles, seal. (State Funds)

Rooks—82 KA-1038-01 - Rooks — K-18 from the junction of U.S. 183 east to the Rooks-Osborne county line; U.S. 183 from Plainville north to the junction of K-18, 15.9 miles, overlay. (State Funds)

Russell—281-84 KA-0883-01 — U.S. 281, 0.2 mile south of the junction of I-70, bridge repair. (State Funds)

Smith—92 C-4296-01 — County road 3 miles north and 1 mile east of Claudell, 0.2 mile, grading and bridge. (Federal Funds)

Smith—281-92 KA-1017-01 — U.S. 281 from the junction of U.S. 36 north to the Nebraska/Kansas state line, 15.5 miles, overlay. (State Funds)

District Four — Southeast

Allen-Woodson—54-106 KA-1114-01 — U.S. 54 from the Woodson-Allen county line east to the west city limits of Iola; U.S. 54 from the east city limits of Yates Center east to the Woodson-Allen county line, 17.7 miles, overlay. (State Funds)

Allen—169-1 KA-0765-01 — U.S. 169 at the Humboldt/Chanute interchange and the K-224 interchange, lighting. (Federal Funds)

Allen—169-1 KA-1049-01 — U.S. 169, beginning 7.4 miles north of the Neosho-Allen county line north 5.5 miles, pavement patching. (State Funds)

Allen-Anderson—169-106 KA-1118-01 — U.S. 169 from the junction of U.S. 54 north to the Allen-Anderson

county line; U.S. 169 from the Allen-Anderson county line north to 1.3 miles north of the junction of K-58, 12.3 miles, overlay. (State Funds)

Greenwood—37 C-4140-01 — North city limits of Eureka north 4.5 miles, grading and surfacing. (Federal Funds)

Greenwood—99-37 KA-1048-01 — K-99 from the east junction of U.S. 54 north to the Greenwood/Lyon county line, 23.8 miles, seal. (State Funds)

Wilson—103 KA-1113-01 — K-47 from 0.7 mile west of the west city limits of Altoona east to 0.2 mile east of Altoona; U.S. 75 from the north junction of U.S. 400 north to 5 miles north of the junction of K-47, 15.4 miles, overlay. (State Funds)

District Five — Southcentral

Barber—160-4 KA-0205-01 — U.S. 160, Elm Creek, 0.8 mile east of the east junction of U.S. 281, bridge deck. (State Funds)

District Six — Southwest

Clark—283-13 KA-1088-01 — U.S. 283 from the junction of U.S. 160 north to the junction of U.S. 54, 11.5 miles, overlay. (State Funds)

Clark—13 M-1968-01 - KDOT mixing strip, 1 mile south of Minneola on U.S. 283, stockpile bituminous material. (State Funds)

Clark-Ford—94-106 KA-1132-01 — K-94 beginning at K-13 north to the Clark-Ford county line; K-94 from the Clark-Ford county line north to the junction of U.S. 54, 10.8 miles, seal. (State Funds)

Finney-Hodgeman—156-106 KA-1130-01 — K-156 from the west junction of K-23 east to the Finney-Hodgeman county line; K-156 from the Finney-Hodgeman county line east to 0.6 mile east of the junction of U.S. 283, 32.5 miles, overlay. (State Funds)

Ford—29 KA-1131-01 — U.S. 400 from the north city limits of Ford southeast to the Ford-Kiowa county line; K-34 from the junction of U.S. 54 north to the junction of U.S. 400/K-34 15.9 miles, overlay. (State Funds)

Ford—29 M-1967-01 — KDOT mixing strip 1 mile south of the U.S. 56/U.S. 283 junction, stockpile bituminous material. (State Funds)

Ford—56-29 KA-1087-01 — U.S. 56 from the north junction of U.S. 400 northeast to 0.5 mile east of the junction of U.S. 50/U.S. 283, 5 miles, seal. (State Funds)

Hodgeman—42 M-1966-01 — KDOT mixing strip, 2 miles west of the U.S. 283 junction on K-156, stockpile bituminous material. (State Funds)

Meade—54-60 KA-1128-01 — U.S. 54 from the south city limits of Plains east to the west city limits of Meade; U.S. 54 from the east junction of U.S. 160 east to the Meade-Clark county line, 28.1 miles, slurry seal. (State Funds)

Meade—23-60 KA-1096-01 — K-23 from the Oklahoma-Kansas state line north to the north city limits of Meade, 27 miles, seal. (State Funds)

Scott—86 K-2493-06 — Scott State Park, overlay. (State Funds)

Scott—86 M-1964-01 — KDOT mixing strip, 1 mile east of Scott City on K-96, stockpile bituminous material. (State Funds)

Scott—95-86 KA-1093-01 — K-95 from the south junction of U.S. 83 north to the north junction of U.S. 83/K-95, 6.5 miles, overlay. (State Funds)

Wichita—102 C-4315-01 — County road from 1 mile south of the junction of K-96 and K-25 east 1.5 miles, surfacing. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Deb Miller
Secretary of Transportation

Doc. No. 035015

State of Kansas

Department of Commerce

Notice of Hearing

The Department of Commerce, Community Development Division, will conduct a public hearing at 10 a.m. Tuesday, November 27, in Suite 100, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to propose an amendment to the State's 2007 Consolidated Plan's Action Plan. The purpose of the proposed amendment is to reduce the economic development category down to \$425,000 and increase the Urgent Needs category to \$4,000,000. In addition, the amount of these grants will be increased to fund the FEMA buyout percentage portion for the flood damaged properties in Southeast Kansas. Comments on the proposed amendment will be received by mail through November 26 by the Community Development Division, 1000 S.W. Jackson, Suite 100, Topeka, 66612-1354.

Anyone needing special accommodations should contact the Kansas Department of Commerce at least three business days in advance of the hearing at (785) 296-3004, TTY (785) 296-3487 or fax (785) 296-3776.

David Kerr
Secretary of Commerce

Doc. No. 035026

State of Kansas

Department of Agriculture

Notice of Board Meeting

The Governor's Agricultural Advisory Board will meet at 10 a.m. Wednesday, October 31, at the National Agricultural Center & Hall of Fame, 630 Hall of Fame Drive, Bonner Springs. A meeting agenda will be available prior to October 31 by contacting Ginger Patterson at (785) 296-3902. This meeting is open to the public and will include time for public comment. Persons needing special accommodations should contact the Department of Agriculture at (785) 296-3902 at least three business days prior to the meeting.

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 035005

(Published in the Kansas Register October 25, 2007.)

Colby Community College
Colby, Kansas

Notice of Intent to Issue Revenue Bonds

To: All Persons Concerned and Interested

You are hereby notified that the governing body of Colby Community College, Colby, Kansas, duly adopted a resolution October 15, 2007, declaring necessary and authorizing improvements to the student housing system of the college (the system) by constructing a new student housing facility and related improvements on the campus of Colby Community College, Colby, Kansas (the project), which facility will consist of a three-story structure housing 80 fully furnished suite-style bedrooms, with approximately 160 beds and adjoining restrooms, all at an estimated cost, including bond reserves and financing costs, of \$5,200,000.

You are hereby further notified that the resolution declares necessary and authorizes the issuance and sale of system revenue bonds of the college under the authority of K.S.A. 76-6a13 to 76-6a25, inclusive, as amended and supplemented (the act), in an amount of not to exceed \$5,200,000, such bonds to be used to pay the costs of the project and provide for the deposit of bond reserve funds and related financing costs.

You are hereby further notified that unless an action to contest the legality of the proposed revenue bonds of the college shall be filed in a court of law within 30 days of the date of publication of this notice, the right to contest the legality of any revenue bonds issued in compliance with the aforesaid resolution and other proceedings duly and legally had and taken by the governing body prior to the date of publication of this notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matters; and that after the expiration of said 30 days from the date of publication of this notice, no one shall have any right to commence an action contesting the validity of such revenue bonds or the provisions of such proceedings of the governing body, all such revenue bonds shall be conclusively pre-

sumed to be legal and no court shall thereafter have the authority to inquire into such matters.

Dated October 15, 2007.

Board of Trustees
Colby Community College
Colby, Kansas
By Arlen Leiker, Chairperson
Attest: Dr. Lynn Kreider, Secretary

Doc. No. 035030

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For more information, call (785) 296-2376:

- 11/05/2007 10838 Earth Work, Waterline Construction and Kettle Structures
- 11/06/2007 10843 Furnish and Install Restroom, Shower Building
- 11/06/2007 10848 Reconstruction of Earth Slope
- 11/07/2007 10844 Preventative Maintenance Program on HVAC
- 11/08/2007 10784 Furnish/Install Hydraulic Hard-line Systems
- 11/08/2007 10852 Abandoned Well Plugging
- 11/16/2007 10839 Janitorial Services
- 11/16/2007 10840 Exterior Building Maintenance
- 11/26/2007 10774 Kan-Ed Leased Circuits and Equipment, Bandwidth and Associated Services
- 12/04/2007 10846 People Soft Consulting Services

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

<http://www.da.ks.gov/purch/>

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

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

Contractors wishing to bid on the projects listed below must be prequalified. Information regarding prequalification, projects and bid documents can be obtained by calling (785) 296-8899 or by visiting www.da.ks.gov/fp/.

- 11/08/2007 A-010518 Re-roof — Sheridan Hall, Fort Hays State University, Hays
- 11/13/2007 A-010567 Parking Structure Telecom Room, Kansas State University, Manhattan
- 11/20/2007 A-010575 Replace Doors, Various Buildings, Wichita State University, Wichita
- 11/20/2007 A-010580 Roof Replacement — Hughes Metropolitan Complex, Wichita State University, Wichita
- 12/04/2007 A-010406 Capital Improvements, Phase 1— Kansas Law Enforcement Training Center, University of Kansas, Lawrence

Chris Howe
Director of Purchases

Doc. No. 035028

**State of Kansas
Department of Wildlife and Parks**

Public Notice

The Kansas Department of Wildlife and Parks has reached an agreement for the purchase of a tract of land in Shawnee County. The parcel consists of 1 acre described as Government Lot 9 lying north of the railroad right of way, and the East 335' of Government Lot 10 all in Section 27, Township 1 South, Range 15 East, in Shawnee County, Kansas. This tract was appraised for \$3,300 and shall be purchased for \$3,300. This tract shall become part of Kaw River State Park and shall remain on the county tax rolls.

J. Michael Hayden
Secretary of Wildlife and Parks

Doc. No. 035018

**State of Kansas
Department of Wildlife and Parks**

Public Notice

The Kansas Department of Wildlife and Parks has reached an agreement for the purchase of a tract of land in Shawnee County. The parcel consists of .8 acre described as that part of Government Lot 10 lying north of the railroad right of way, except the East 335' thereof in Section 27, Township 1 South, Range 15 East, in Shawnee County, Kansas. This tract was appraised for \$2,640 and shall be purchased for \$2,640. This tract shall become part of Kaw River State Park and shall remain on the county tax rolls.

J. Michael Hayden
Secretary of Wildlife and Parks

Doc. No. 035019

**State of Kansas
Governmental Ethics Commission**

Opinion No. 2007-12

Written October 17, 2007, to all interested persons:

Pursuant to K.S.A. 25-4159, the Kansas Governmental Ethics Commission takes this opportunity to issue its opinion to clarify questions regarding the records and supporting documentation required to be kept under the Campaign Finance Act, K.S.A. 25-4142 *et seq.*, for contributions received through PayPal or other online merchant account providers.

Opinion:

K.S.A. 25-4147, which sets out the duties of every treasurer of a candidate or party or political committee, includes the following:

- (a) Every treasurer shall keep detailed accounts of *all* contributions and other receipts received and *all* expenditures made by or on behalf of the treasurer's candidate or committee.
- (b) Accounts of any treasurer may be inspected under conditions determined by the commission, and shall be preserved for a period to be designated by the commission. (Emphasis added.)

K.A.R. 19-27-4 requires that treasurers' accounts be preserved for six years for an office with a four year term and for party and political committees, and for four years for an office with a two year term.

K.A.R. 19-27-2 details the contribution records to be kept by treasurers, and states in pertinent part as follows:

- (a) Each treasurer shall maintain a complete record of *all* contributions as follows:
 - (1) A detailed account of *all* contributions . . . which include:
 - (A) The full name and address of the person making the contribution;
 - (B) The occupation of each individual contributor who contributes more than \$150, or if the individual contributor is not employed, then the occupation of the contributor's spouse;
 - (C) A description of the contribution as cash, check, in-kind, loan (including rate of interest, term, guarantor, and endorser);
 - (D) The date received;
 - (E) The amount; and
 - (F) The cumulative amount given by the contributor which is allocable to the primary or general election period. (Emphasis added.)

The question has arisen as to what kinds of records a treasurer must keep when a contribution is received through PayPal or other online merchant account providers (providers) who process transactions. It is our understanding that these providers, including PayPal, act as an intermediary to securely receive funds from a contributor's credit or debit card or bank account for a candidate or committee who has established an account with the provider. The provider then notifies the candidate or committee by e-mail that they have received a contribution. The provider charges the candidate or committee a fee to process the transaction. The fee is withheld from the contribution before it is transferred to the candidate or committee.

To comply with the Campaign Finance Act, the treasurer should receive and keep sufficient supporting documentation to fully substantiate each contribution received through a provider, including all information required by K.A.R. 19-27-2. The candidate or treasurer should contact the provider to request that the required information be provided for all contributions they process. If the provider is unable to provide all of the necessary information, it is the treasurer's duty to obtain the information regarding each contribution directly from the contributor. A copy of all supporting documentation for each contribution should be kept by the treasurer for either six or four years as provided by K.A.R. 19-27-4.

Further, the entire contribution, before any fee is withheld, should be included as the amount of the contribution on reports filed by the treasurer. The provider's fee that is withheld should be reported as an expenditure by the campaign or committee. Supporting documentation regarding the fee for each contribution should be received and maintained by the treasurer.

Sabrina K. Standifer
Chairwoman

Doc. No. 035017

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 30-November 9. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://kslegislature.org/klrd>.

Date	Room	Time	Committee	Agenda
Oct. 30	313-S	10:00 a.m.	Joint Committee on Children's Issues	State Children's Health Insurance Program (SCHIP); and Kansas foster care program.
Oct. 30	519-S	10:00 a.m.	Legislative Post Audit	Performance audit reports on: KU Medical Center and KU Hospital: Reviewing Selected Operational Issues and Reviewing Selected Financial Issues; KAN-ED: Determining Whether It's Achieving the Intended Results; K-12 Education: Determining the Reasons for Variations in Virtual School Costs (school audit); Thomas County Economic Development Alliance (limited scope audit); and financial audit on Kansas Lottery.
Oct. 31	123-S	10:00 a.m.	Math and Science Education Advisory Committee	Presentation of exemplary school district programs.
Nov. 1	313-S	10:00 a.m.	Joint Committee on Health Policy Oversight	Kansas Health Policy Authority report on health reform options.
Nov. 1	519-S	9:00 a.m.	Joint Committee on Kansas Security	1st: Emergency radio interoperability. 2nd: Update on National Bio and Agro-Defense Facility.
Nov. 2	519-S	9:00 a.m.		
Nov. 5	123-S	10:00 a.m.	Legislative Educational Planning Committee	Board of Regents; virtual schools; KASHAA; charter schools; and finalize recommendations.
Nov. 5	519-S	10:00 a.m.	Joint Committee on Pensions, Investments, and Benefits	5th: Study allowing local units of government retirement options (for select groups) similar to the state correctional officer group; study adding selected state agency employee groups who perform public safety duties (fire and law enforcement) into the Kansas Police and Fire Retirement (KP&F) System; and review of Social Security coverage for certain KP&F groups. 6th: Public hearing on post-retirement cost of living adjustments; and public hearing on working after retirement.
Nov. 6	519-S	9:00 a.m.		
Nov. 6	526-S	10:00 a.m.	Joint Committee on Economic Development	Agenda not available.
Nov. 7	526-S	9:00 a.m.		
Nov. 7	423-S	9:30 a.m.	Kansas Autism Task Force <i>subcommittee</i>	Best Practices Subcommittee.
Nov. 7	241-N	10:00 a.m.	Special Committee on Energy, Natural Resources, and Environment	Agenda not available.
Nov. 8	241-N	9:00 a.m.		
Nov. 7	313-S	10:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Juvenile Justice Authority community corrections.
Nov. 8	313-S	9:00 a.m.		
Nov. 7	519-S	10:00 a.m.	Joint Committee on Financial Institutions and Insurance	Agenda not available.
Nov. 8	519-S	9:00 a.m.		

Nov. 8	123-S	10:00 a.m.	Special Committee on	8th: Topic 14 — Release of inmates to house arrest by Secretary of Corrections; and Topic 15 — Child care custody — military deployment. 9th: Topic 1 — Operations of the Board of Healing Arts.
Nov. 9	123-S	9:00 a.m.	Judiciary	
Nov. 8	514-S	10:00 a.m.	Legislative Budget	8th: Study the duties and responsibilities of pharmacy benefit managers; and update on current health care reform. 9th: Review reimbursement for mental health services; and update on the State Employee Compensation Oversight Commission activities.
Nov. 9	514-S	9:00 a.m.	Committee	
Nov. 9	526-S	10:00 a.m.	Joint Committee on	Review of information technology projects.
			Information Technology	

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 035021

State of Kansas
Department of Health
and Environment
Request for Comments

The Kansas Department of Health and Environment has received an application to expand the C&D Recyclers of Kansas, Inc. construction and demolition (C&D) landfill. The proposed C&D landfill expansion site is located at 4250 W. 37th St. North, Wichita, in the SE¼ of Section 26, Township 26 South, Range 1 West in Sedgwick County. The C&D landfill would be constructed and operated in conformance with state solid waste regulations and accept only C&D wastes as defined by Kansas statutes. The proposed landfill expansion would increase the permitted waste disposal area from 23.10 acres to 49.74 acres and increase the facility property area from approximately 34 acres to approximately 70 acres.

The Sedgwick County Commissioners have certified that the application described herein is consistent with the county's solid waste management plan and local land use restrictions or zoning. KDHE has reviewed the application and found it to be in conformance with state solid waste statutes and regulations.

KDHE is providing public notice of its intent to approve the proposed landfill expansion. However, a final decision to approve the expansion has not been made, and KDHE will consider information gathered during the public comment period before making a final decision. A copy of the administrative record, which includes the permit application, engineering drawings, draft permit and other information with respect to this permit action, will be available for public review through November 28, during normal business hours, at the following locations:

Kansas Department of Health and Environment
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Sam Sunderraj
(785) 296-6563

Wichita Evergreen Branch Public Library
2601 N. Arkansas
Wichita, 67204
Contact: Dawn Williams
(316) 303-8181

A copy of the permit also is available at the KDHE Southeast District Office, 1500 W. 7th, Chanute, 66720, where permit reviewer Charles Bowers can be contacted at (620) 431-2390. Anyone wishing to comment on the landfill's permit modification should submit written statements postmarked not later than November 28 to Charles Bowers at the Chanute address, by fax at (620) 431-1211 or by e-mail to cbowers@kdhe.state.ks.us.

In addition, an informational meeting and public hearing will be held November 28 in conjunction with the public comment period at the Sedgwick County Extension Education Center, Sunflower Room, 7001 W. 21st St. North (southeast corner of 21st and Ridge Road), Wichita. At the informational meeting, beginning at 6 p.m., KDHE staff will be present in an informal setting to respond to questions from concerned individuals regarding the C&D landfill. At 7 p.m., immediately following the informational meeting, a public hearing will be held to provide a format for individuals to make formal comments that will be recorded by KDHE. KDHE will subsequently respond to all formal comments in writing.

After consideration of all formal comments received at the public hearing and all written comments received during the public notice period, KDHE will make a final decision on whether to issue the permit. Notice of the decision will be given to the applicant, to anyone who submitted written comments during the comment period, to those who commented during the public hearing, and to those who requested notice of the final permit decision.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 035012

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. Regency Gas Services has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Regency Gas Services, 401 Edwards St., Suite 1320, Shreveport, Louisiana, owns and operates Hugoton #5 Compressor Station located at Section 21, T26S, R39W, Hamilton County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Josh Weil, (620) 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 Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business November 26.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sherry Walker, Bureau of Air and Radiation, not later than the close of business November 26 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was im-

practicable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Jon Knodel, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7622, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 035011

State of Kansas

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

The Kansas Department of Health and Environment has reviewed an application from Central American Tire Salvage Co., Inc. (CATSCO), dba Tire Recovery, to establish and operate a waste tire processing facility. This facility would be located in the SE 1/4 of Section 21, Township 11S, Range 24E, Wyandotte County, at 7259 Kaw Drive, Kansas City, Kansas. KDHE has reviewed the application and found it to be in conformance with state solid waste statutes and regulations.

KDHE is providing public notice of its intent to issue a permit to CATSCO Tire Recovery for the proposed waste tire processing facility described herein. A copy of the administrative record, which includes the draft permit and all information regarding this permit action, is available for public review through November 26 during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment
Solid Waste Permits Section
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Ken Powell
(785) 296-1121

Unified Government of Kansas City/Wyandotte County
Public Health Department
619 Ann
Kansas City, KS 66101
Contact: John Cotter
(913) 573-6737

Anyone wishing to comment on the draft permit information should submit written statements postmarked not later than November 26 to Ken Powell (KDHE). After consideration of all comments received, the Director of the Division of Environment will make a final decision on whether to issue the permit. Notice of the decision will be given to anyone who submitted written comments during the comment period and to those who requested notice of the final permit decision.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 035022

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 construction permit. Hallmark Cards, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to consolidate manufacturing facilities. Emissions of volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) were evaluated during the permit review process.

Hallmark Cards, Inc. proposes to own and operate a stationary source located at 450 Eisenhower Road, Leavenworth, at which printing operations are performed.

A public comment period has been established until noon November 26 to allow citizens the opportunity to express any concerns they may have about this proposed permitting action. All comments should be submitted in writing to Justin Cunningham, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. Comments also may be presented at the public hearing.

Any member of the public may request a public hearing be conducted to receive comments on the proposed issuance of the draft air quality construction permit. Written requests to hold a public hearing should be sent to the attention of Sherry Walker at the address listed above or by fax to (785) 291-3953 and must be received by noon November 26. If a request is received, a public hearing is tentatively scheduled by KDHE at 7 p.m. November 7 at the River Front Community and Convention Center, Men's Waiting Room, 123 S. Esplanade, Leavenworth. If no requests to hold the public hearing are received by noon November 26, the public hearing will be cancelled.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Northeast District Office, 800 W. 24th, Lawrence. To obtain or review the proposed permit and supporting documentation, contact Justin Cunningham, (785) 296-0776, at the KDHE central office; and to review the proposed permit only, contact the air quality district representative, (785) 842-4600, in the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 035006

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas/Federal Water
Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

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

Public Notice No. KS-AG-07-296/300

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Lorna Morgan Trust Jeff Morgan 877 Quail Road Hope, KS 67451	NW/4 of Section 30, T15S, R04E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-B026

This is a reissuance of a permit for an existing facility with a maximum capacity of 400 head (400 animal units) of beef cattle more than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
High C Farms Chris Pinkston 1213 N.W. 80th Ave. St. John, KS 67576	SW/4 of Section 17, T22S, R14W, Stafford County	Upper Arkansas River Basin

Kansas Permit No. A-UASF-B001

This is a reissuance of a permit for an existing facility for 990 head (990 animal units) of cattle weighing greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Pratt Livestock, Inc. 30274 E. Highway 54 Pratt, KS 67124	SE/4 of Section 31, T27S, R12W, Pratt County	Lower Arkansas River Basin

Kansas Permit No. A-ARPR-B008

This is a reissuance of a permit with a decrease in animal units for an existing public livestock market with an average daily capacity of 538 animal units of cattle. The average capacity of the facility is being decreased from an average weekly capacity of 7,200 animal units due to a change in Kansas law regarding the method in which the animal units are calculated at public livestock markets.

(continued)

Name and Address of Applicant	Legal Description	Receiving Water
Shaw Feedyard, Inc William K. Shaw P.O. Box 655 Ashland, KS 67831	NW/4 of Section 32, T33S, R23W, Clark County	Cimarron River Basin

Kansas Permit No. A-CICA-C004 Federal Permit No. KS0085227
 This is a reissuance of a permit for an existing facility for 7,500 head (7,500 animal units) of beef cattle weighing more than 700 pounds. The facility utilizes one sediment basin and three retention control structures along with a series of sediment channels to control precipitation runoff and wastewater from the confinement areas.

Name and Address of Applicant	Legal Description	Receiving Water
Prairie View Farms, Inc. Gary Stanford 1707 Road 370 Allen, KS 66833	NW/4 of Section 02 & NE/4 of Section 03, T16S, R12E, Lyon County	Marais des Cygnes River Basin

Kansas Permit No. A-MCLY-S001
 This is a reissuance of a permit for an existing facility for 2,250 head (900 animal units) of swine weighing greater than 55 pounds and 900 head (90 animal units) of swine weighing 55 pounds or less, for a total of 990 animal units of swine.

Public Notice No. KS-07-134/139

Name and Address of Applicant	Receiving Stream	Type of Discharge
Benton, City of P.O. Box 388 Benton, KS 67017	Whitewater River via West Branch Whitewater River via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-WA04-OO01 Federal Permit No. KS0026689
 Legal Description: NW¼, NW¼, SE¼, S9, T26S, R3E, Butler County
 Facility Description: The proposed action is to modify and reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and fecal coliform/E. coli. Monitoring of ammonia, sulfates, pH, water level of the final cell and effluent flow also will be required. Contained in the permit is a schedule of compliance requiring the permittee to complete construction of the approved facility upgrade/expansion. The permit requirements are pursuant to the 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	Receiving Stream	Type of Discharge
Board of Public Utilities P.O. Box 1008 McPherson, KS 67460	Little Arkansas River via Dry Turkey Creek via Bull Creek via Storm Sewer	Groundwater Remediation

Kansas Permit No. I-LA11-PO09 Federal Permit No. KS0088625
 Legal Description: SE¼, S29, T19S, R3W, McPherson County, KS
 Facility Name: Water Treatment Air Stripping Unit
 Facility Address: 414 W. Elizabeth, McPherson, KS 67460
 Facility Description: The proposed action is to reissue an existing permit for discharge of wastewater during a groundwater remediation project. This facility is a public water supply treatment facility designed to remove volatile organic chemicals (VOC's) from groundwater prior to placement in the city of McPherson potable water system. Groundwater is treated with two air stripping towers and disinfected with chlorine prior to storage in a clear well for public distribution. If a problem were to develop with the operation, the clear well effluent would be treated with sodium sulfite to neutralize chlorine prior to discharge to the storm sewer. The proposed permit contains limits for total residual chlorine, trichloroethylene, tetrachloroethylene and pH. Monitoring for chloride, total recoverable selenium and zinc and effluent flow also will be required. The per-

mittee will be required to perform a VOC scan of the influent once prior to the expiration of this permit. The permit requirements are pursuant to the 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	Receiving Stream	Type of Discharge
Board of Public Utilities P.O. Box 1008 McPherson, KS 67460	Little Arkansas River via Dry Turkey Creek via Unnamed Tributary	Cooling Water and Stormwater Runoff

Kansas Permit No. I-LA11-CO03 Federal Permit No. KS0093602
 Legal Description: NW¼, S24, T19S, R3W, McPherson County
 Facility Name: BPU (McPherson) Power Plant #3
 Facility Address: 1486 17th Ave., McPherson, KS 67460

Facility Description: The proposed action is to reissue an existing permit for discharge of cooling water. This facility is an 80 MW, simple cycle, natural gas/diesel fuel combustion turbine electric generating station to provide peak electrical demand. No. 2 diesel fuel is stored on-site as a backup fuel. Stormwater runoff from fuel oil storage dike, fuel loading and unloading areas and the generator enclosure area, is directed to an oil/water separator. Oil/water separator effluent, evaporative cooler blowdown, and stormwater runoff from uncontaminated areas are directed through an underground pipe to a stormwater detention pond. Process water drains and domestic waste are connected to the sanitary sewer. Plant floor drains go to the drains tank before being pumped to the sanitary sewer. The permit requirements are pursuant to the 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	Receiving Stream	Type of Discharge
Board of Public Utilities P.O. Box 1008 McPherson, KS 67460	Little Arkansas River via Dry Turkey Creek via Bull Creek	Process Wastewater

Kansas Permit No. I-LA11-PO04 Federal Permit No. KS0079758
 Legal Description: SW¼, S29, T19S, R3W, McPherson County
 Facility Name: McPherson Power Plant #2
 Facility Address: 1128 W. Ave. A, McPherson, KS 67460

Facility Description: The proposed action is to renew an existing wastewater permit for an existing facility. This facility is a standby electrical generating station used for peaking and emergency power. The facility includes two 50 MW, natural gas/diesel fuel turbines (GT1 & GT3), and one 50 MW, diesel fuel turbine (GT2). Design daily discharge from outfall 001 (Bull Creek) is about 0.144 million gallons per day (mgd), consisting of evaporative coolers blowdown from GT1 & GT2, oil storage area runoff, and fire hydrant test water. Design daily discharge from outfall 002, to west Bull Creek, is about 0.072 mgd, consisting of evaporative cooler blowdown from gas GT3 and runoff from oily areas. Domestic waste from the maintenance building is directed to a septic tank. The rest of the facility's domestic waste, heating boiler drain and floor drains via lift station are connected to the sanitary sewer. The proposed permit contains limits for oil and grease, total residual chlorine and pH. Monitoring of temperature, chloride, total recoverable selenium and zinc and effluent flow also will be required. The permit requirements are pursuant to the 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	Receiving Stream	Type of Discharge
Independent Salt Company P.O. Box 36 Kanopolis, KS 67454	Smoky Hill River via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-SH19-PO07 Federal Permit No. KS0096857
 Legal Description: NW¼, S29, T15S, R7W, Ellsworth County
 Facility Description: The proposed action is to reissue an existing permit for a wastewater discharge. This facility is engaged in the mechanical mining of underground salt, used for highway de-icing. Groundwater seepage from the mine shafts is collected in an underground

tank and pumped into a surface storage tank. From the storage tank, the flow is directed via pipeline to outfall 001. The facility has a backup reverse osmosis (RO) system to treat the wastewater, if needed, to meet the permit limitations. Domestic waste is connected to a septic tank/lateral field system. The proposed permit requires monitoring of chloride, sulfate, pH and effluent flow. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement an industrial stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Notice of Intent to Terminate

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment hereby provides notice of intent to terminate the following KDHE-issued authorizations:

Project/Facility	Project City	Document No.
Greenwich Village Shell #2	Wichita	S-AR94-0191
Goldsmith's	Wichita	S-AR94-0268
Family Video (Bel Aire)	Wichita	S-AR94-0378
Barefoot Bay Estates	Wichita	S-AR94-0077
Elk Ridge Addition	Goddard	S-AR37-0006
21st Street Kids and Family Empowerment	Wichita	S-AR94-0354
Centennial Commerce Center	Salina	S-SH33-0021
Monticello Substation	Shawnee	S-KS68-0133
International Trade Center	Overland Park	S-MO28-0099
Cottage Park XI	Gardner	S-KS20-0021
Arbor Lake	Lenexa	S-KS34-0075
Lawrence Country Club-Golf Cart Storage Facility	Lawrence	S-KS31-0081
Reflection Lake at Cloud City 2nd A-8895 Douglas SFL Dam Modification	Andover	S-WA01-0011
Bismarck Gardens Subdivision #2 - #6	Baldwin City	S-MC04-0004
Family Health	Lawrence	S-KS31-0010
Frontier Farm Credit-Baldwin	Lawrence	S-KS31-0064
KU Library Annex	Baldwin City	S-MC04-0009
KU Multidisciplinary Research Building	Lawrence	S-KS31-0061
Lower Elk River FRD 20	Lawrence	S-KS31-0050
Sienna South Apartments	Howard	S-VE22-0005
Sunset Ridge	Ottawa	Sienna South Apartments
Family Housing Replacement, New (05) — Fort Riley	Wellsville	S-MC48-0011
Barracks Mobilization & Training (Fort Riley)	Junction City	S-LR15-0020
Windover First Addition	Junction City	S-KS97-0013
Woodland Farms 2nd & 3rd Plats	Hesston	S-LA07-0003
Towne Center Pointe — Lot 1	Shawnee	S-KS68-0043
Wolf Creek Junction	Lansing	S-MO11-0023
Conway Station to Partridge Station	Basehor	S-KS04-0014
Hanksbury Ridge (fka Park Meadows Lake Subdivision)	Conway	S-LA21-0003
Swanson's Farm	Louisburg	S-MC20-0012
Peregrine Falcon	Kansas City	S-KS27-0051
K-32 Office Park	Kansas City	S-KS27-0007
Hazelwood Villas	Edwardsville	S-KS14-0005
Walnut View Townhomes	Kansas City	S-KS27-0028
USD 450 Baseball Facility Grading	Topeka	S-KS72-0127
S.W. Prather-Kanza Business & Technology Park	Tecumseh	S-KS98-0005
Oakwood Hills Subdivision	Topeka	S-KS72-0088
Kaw River Drainage District Spur Dike Const.	Topeka	S-KS72-0083
Colly Creek Subdivision No. 10	Silver Lake	S-KS69-0003
Colly Creek Subdivision No. 9	Topeka	S-KS72-0116
Army Forces Reserve Center	Topeka	S-KS72-0099
N. Rock Road Water Main — Proj. No. 448-89720	Topeka	S-KS72-0042
	Wichita	S-AR94-0361

Kansas Surgery and Recovery Center Add.	Wichita	S-AR94-0302
K-96 Bike Path Trailhead	Wichita	S-AR94-0359

Proposed Action: The Kansas Department of Health and Environment issued authorizations for stormwater discharges under the Construction Stormwater General Permit for the above-named projects. K.A.R. 65-16-6a requires the secretary of KDHE to assess appropriate annual fees for authorizations/permits issued by the department and provides that failure to pay the annual fee shall be cause for revocation/termination of the authorization/permit. The authorized entities named above have failed to comply with the requirement to pay the annual fee. Therefore, pursuant to K.S.A. 65-16-6a, K.A.R. 28-16-60 and K.A.R. 28-16-62, KDHE is hereby providing notice of intent to terminate the authorizations associated with the projects named herein. If the permittees does not timely respond to this notice, the authorizations are terminated with no further action by KDHE. The entity may reinstate the authorization by paying the appropriate annual fees.

Public Notice No. KS-ND-07-025/026

Name and Address of Applicant	Legal Location	Type of Discharge
Branded B Ranch, LLC Rodney Brown, Owner 7481 74th St. Meriden, KS 66512	NE¼, NE¼, SE¼, S14, T10S, R17E, Jefferson County	Nonoverflowing

Kansas Permit No. C-KS43-NO02
Federal Tracking No. KSJ000578

Facility Description: The proposed action is to reissue an existing permit for operation of an existing nonoverflowing lagoon wastewater treatment facility. Contained in the permit is a schedule of compliance requiring the permittee to provide KDHE with a plan and schedule to properly close this facility and connect to the Jefferson County Sewer District #3 treatment system by December 31, 2008. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

Name and Address of Applicant	Legal Location	Type of Discharge
Triple D, Inc. c/o Cynthia Diehl 7559 127th St. East Derby, KS 67037	N½, SW¼, S2, T29S, R2E, Sedgwick County	Nonoverflowing

Kansas Permit No. C-WA22-NO01
Federal Tracking No. KSJ000613

Facility Name: Triple D Mobile Home Park
Facility Address: 7602 S. 127th St. East, Derby, KS 67037

Facility Description: The proposed action is to reissue an existing permit for operation of an existing nonoverflowing lagoon wastewater treatment facility. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator within 6 months of the effective date of this permit to achieve compliance with this permit. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

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

(continued)

All comments regarding the draft documents or application notices received on or before November 24 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-07-296/300, KS-07-134/139, KS-ND-07-025/026) and name of the applicant/permittee when preparing comments.

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

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

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 035016

(Published in the Kansas Register October 25, 2007.)

**Summary Notice of Bond Sale
City of Topeka, Kansas
\$14,935,000*
General Obligation Bonds
Series 2007-D**

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

Bids

Subject to the official notice of bond sale and preliminary official statement to be dated on or about October 29, 2007, sealed, facsimile and electronic bids will be received, in the case of sealed and facsimile bids, by the city clerk of the city of Topeka, Kansas (as issuer), on behalf of the governing body of the city at City Hall, 215 S.E. 7th St., Topeka, KS 66603, and, in the case of electronic bids, by the city's financial advisor on behalf of the governing body of the city on the Columbia Capital Auction Web site, <http://www.columbiacapitalauction.com>, until 10 a.m. Tuesday, November 6, 2007, for the purchase of \$14,935,000* aggregate principal amount of General Obligation Bonds, Series 2007-D. No bid of less than 98.00 percent of the aggregate principal amount of the bonds, plus accrued interest, if any, thereon to the date of delivery will be considered, and no supplemental interest payments will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof.

The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated November 28, 2007, and will become due on August 15 in the years as follows:

Year	Principal Amount
2008	\$ 350,000
2009	535,000
2010	555,000
2011	570,000
2012	595,000
2013	615,000
2014	635,000
2015	665,000
2016	685,000
2017	710,000
2018	745,000
2019	770,000
2020	805,000
2021	835,000
2022	875,000
2023	910,000
2024	955,000
2025	995,000
2026	1,040,000
2027	1,090,000

The city reserves the right to modify the total amount of the bonds and the amount of any maturity in order to properly structure certain funds and accounts and substantially obtain annual debt service parameters determined by the city, based upon the interest rates and reoffering yields submitted by the successful bidder. The amount of the modification generally will not exceed the amount of net original issue premium or net original issue discount bid on the bonds. Upon notification of preliminary award, the successful bidder must transmit to the city within 20 minutes, by fax or e-mail, its reoffering yields on the bonds. The successful bidder will be notified by means of telephone or facsimile transmission of any modification to such principal amount not later than 2 p.m. Central Standard Time on the sale date. If the principal amounts are modified, the city will seek to modify the maturity schedule, or make other mutually agreeable changes, in a way that will neither increase nor reduce the successful bidder's spread as a percentage of the principal amount of the bonds issued after taking into account such adjustments. The successful bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the bonds or principal of any maturity as described herein.

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the official notice of bond sale.

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 semian-

nually on February 15 and August 15 in each year, beginning February 15, 2008.

Pre-Bid Revisions

The city reserves the right to issue a supplemental notice of sale not later than 48 hours prior to the sale date via the electronic bidding Web site (<http://www.columbiacapitalauction.com>). If issued, the supplemental notice may modify (i) the maturity amounts of the bonds and/or (ii) such other terms of this notice as the city determines. Any such modifications will supersede the maturities and such other terms as set forth herein.

Paying Agent and Bond Registrar

The Kansas State Treasurer, Topeka, Kansas, is designated as the paying agent and bond registrar for the bonds.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$298,700 (representing 2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered to the facilities of the Depository Trust Company, New York, New York, without cost to the successful bidder on or about November 28, 2007.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the city for the year 2007 is \$1,155,580,463. The total general obligation bonded indebtedness of the city, following the concurrent issuance of the bonds and Temporary Notes, Series 2007-A, in the principal amount of \$9,200,000 (less the Series 2006-A notes in the principal amount of \$11,470,000, all of which will be retired on December 1, 2007), is \$179,135,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Jim Langford, Director of Budget and Financial Services, (785) 368-3970, fax (785) 368-3975; or from the city's financial advisor, Columbia Capital Management, LLC, 6330 Lamar Ave., Suite 200, Overland Park, KS 66202, (913) 248-8500, fax (913) 248-8900.

Dated October 18, 2007.

City of Topeka, Kansas
 Brenda Younger, City Clerk
 City Hall
 215 S.E. 7th St.
 Topeka, KS 66603
 (785) 368-3940

* Subject to change.

Doc. No. 035010

(Published in the Kansas Register October 25, 2007.)

**Summary Notice of Bond Sale
 Fire District No. 2**

**Johnson County, Kansas
 \$3,000,000***

**General Obligation Bonds, Series 2007-A
 (General obligation bonds payable from
 unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated October 31, 2007, sealed bids will be received by Jeff Johnson, Fire Chief of Fire District No. 2, Johnson County, Kansas, on behalf of the governing body at 19495 Metcalf, Stilwell, KS 66085, via facsimile to (913) 681-2786, Attention: Jeff Johnson, Fire Chief, or, in the case of electronic proposals, via PARITY electronic bid submission system, until noon November 7, 2007, for the purchase of \$3,000,000* principal amount of General Obligation Bonds, Series 2007-A. No bid of less than the entire par value of the bonds, plus accrued interest to the date of delivery, will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated November 15, 2007, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2009	\$110,000
2010	270,000
2011	280,000
2012	295,000
2013	310,000
2014	320,000
2015	330,000
2016	345,000
2017	360,000
2018	380,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2009. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$60,000 (2 percent of the principal amount of the bonds).

Delivery

The district will pay for preparation of the bonds and will deliver the same properly prepared, executed and

(continued)

registered without cost to the successful bidder on or about November 28, 2007, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2006 is \$196,555,598. The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$5,375,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Kurak Rock LLP, Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the district and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the administrative secretary for the board, (913) 681-2764; from the district's financial advisor, George K. Baum & Company, 4801 Main St., Suite 500, Kansas City, MO 64112, Attention: David Arteberry, (816) 474-1100; or from bond counsel, Kutak Rock LLP, 1010 Grand Blvd., Suite 500, Kansas City, MO 64106-2220, (816) 960-0090, Attention: Dorothea Riley.

Dated October 25, 2007.

Fire District No. 2
Johnson County, Kansas
By Jeff Johnson, Fire Chief
19495 Metcalf
Stillwell, KS 66085

*Subject to change.

Doc. No. 035025

(Published in the Kansas Register October 25, 2007.)

Summary Notice of Bond Sale Fire District No. 9

Reno County, Kansas
\$740,000

General Obligation Bonds, Series 2007A

(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated October 17, 2007, written bids will be received by the clerk of Reno County, Kansas, on behalf of Fire District No. 9, Reno County, Kansas (the issuer), at the address set forth below until 11:30 a.m. November 7, 2007, for the purchase of the above-referenced bonds. No bid of less than 99 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. The bonds will be dated November 15, 2007, and will become due on June 1 in the years as follows:

Year	Principal Amount
2009	\$25,000
2010	40,000
2011	40,000
2012	45,000
2013	45,000
2014	45,000
2015	50,000
2016	50,000
2017	50,000
2018	55,000
2019	55,000
2020	55,000
2021	60,000
2022	60,000
2023	65,000

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 June 1 and December 1 in each year, beginning June 1, 2009.

Optional Book-Entry-Only System

The successful bidder may elect to have the 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 or a qualified financial surety bond in the amount of \$14,800 (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 about November 20, 2007, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2006 is \$20,317,162. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$740,000.

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 when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the undersigned at the addresses set forth below.

Written and Facsimile Bid and Good Faith Deposit

Delivery Address:

Shari Gagnebin, Clerk
 201 W. 1st
 Hutchinson, KS 67501
 (620) 694-2934
 Fax (620) 694-2504
 E-mail: shari.gagnebin@renogov.com

Bond Counsel:

Gilmore & Bell, P.C.
 100 N. Main, Suite 800
 Wichita, KS 67202
 Attn: Kevin Cowan
 (316) 267-2091
 Fax (316) 262-6523
 E-mail: kcowan@gilmorebell.com

Dated October 17, 2007.

Fire District No. 9
 Reno County, Kansas

Doc. No. 035029

(Published in the Kansas Register October 25, 2007.)

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

\$3,005,000*

General Obligation Bonds, Series 2007-C

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

Bids

Subject to the notice of bond sale dated October 16, 2007, bids will be received by the city clerk of the city of Hutchinson, Kansas, on behalf of the governing body at City Hall, 125 E. Ave. B, Hutchinson, KS 67501, or, in the case of electronic proposals, via PARITY electronic bid submission system, until 9 a.m. November 6, 2007, for the purchase of \$3,005,000* principal amount of General Obligation Bonds, Series 2007-C. No bid of less than the entire par value of the bonds, plus accrued interest to the date of delivery, will be considered. Only bids with a purchase price between 100 percent and 103.5 percent of the par value of the bonds, plus accrued interest to the date of delivery, will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated November 15, 2007 (the dated date), and will become due on October 1 in the years as follows:

Year	Principal Amount*
2008	\$155,000
2009	145,000
2010	150,000
2011	155,000

2012	165,000
2013	175,000
2014	180,000
2015	190,000
2016	200,000
2017	205,000
2018	105,000
2019	110,000
2020	115,000
2021	120,000
2022	125,000
2023	130,000
2024	135,000
2025	140,000
2026	150,000
2027	155,000

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as provided in the notice of sale, which interest will be payable semi-annually on April 1 and October 1 in each year, beginning April 1, 2008. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$60,100 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about November 27, 2007, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2006 is \$278,077,509. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$38,697,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Kutak Rock LLP, Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Gina Rayburn, city clerk, (620) 694-2618; from the city's financial advisor, Ranson Financial Consultants, L.L.C., 200 W. Douglas, Suite 600, Wichita, KS 67202, Attention: John Haas, (316) 264-3400; or from bond

(continued)

counsel, Kutak Rock LLP, 1010 Grand Blvd., Suite 500, Kansas City, MO 64106-2220, (816) 960-0090, Attention: Dorothea Riley.

Dated October 25, 2007.

City of Hutchinson, Kansas
By Gina Rayburn, City Clerk
Hutchinson City Hall
125 E. Ave. B
Hutchinson, KS 67501

***Subject to change.**

Doc. No. 035024

(Published in the Kansas Register October 25, 2007.)

**Summary Notice of Bond Sale
City of Valley Center, Kansas
\$710,000
General Obligation Bonds, Series 2007-1
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated October 16, 2007, written and electronic bids will be received on behalf of the clerk of the city of Valley Center, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 2 p.m. November 6, 2007, for the purchase of the above-referenced bonds. No bid of less than 100 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. The bonds will be dated November 15, 2007, and will become due on December 1 in the years as follows:

Year	Principal Amount
2010	\$25,000
2011	25,000
2012	25,000
2013	30,000
2014	30,000
2015	30,000
2016	30,000
2017	35,000
2018	35,000
2019	35,000
2020	40,000
2021	40,000
2022	40,000
2023	45,000
2024	45,000
2025	45,000
2026	50,000
2027	50,000
2028	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 semian-

nually on June 1 and December 1 in each year, beginning June 1, 2009.

Book-Entry-Only System

The bonds shall be 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 or a qualified financial surety bond in the amount of \$14,200 (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 about November 29, 2007, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2007 is \$45,314,655. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, excluding temporary notes to be retired in conjunction therewith and additional temporary notes to be issued on said date, is \$10,945,000.

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 when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the undersigned or from the financial advisor at the addresses set forth below.

Written Bid and Good Faith Deposit Delivery Address:

Kristine A. Polian, Clerk
City Hall, 121 S. Meridian,
Valley Center, KS 67147
(316) 755-7310
Fax (316) 755-7319
E-mail: cityclerk@valleycenterks.org

Financial Advisor—Facsimile Bid and Good Faith Deposit Delivery Address:

Piper Jaffray & Co.
11150 Overbrook, Suite 310
Leawood, KS 66211
Attn: Dustin Avey
(913) 345-3375
Fax (913) 345-3393
E-mail: dustin.j.avey@pjc.com

Dated October 16, 2007.

City of Valley Center, Kansas

Doc. No. 035013

**State of Kansas
Pooled Money Investment Board**

Notice of Investment Rates

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

Effective 10-22-07 through 10-28-07

Term	Rate
1-89 days	4.74%
3 months	3.94%
6 months	4.04%
1 year	3.99%
18 months	3.83%
2 years	3.80%

Derl S. Treff
Director of Investments

Doc. No. 035002

(Published in the Kansas Register October 25, 2007.)

**Summary Notice of Bond Sale
City of Independence, Kansas
\$465,000**

General Obligation Bonds, Series 2007-C

**(General obligation bonds payable to the extent
necessary from unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated October 18, 2007, written and electronic bids will be received on behalf of the clerk of the city of Independence, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through *PARITY*, until 2 p.m. November 1, 2007, for the purchase of the above-referenced bonds. No bid of less than 100 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. The bonds will be dated November 15, 2007, and will become due on October 1 in the years as follows:

Year	Principal Amount
2008	\$40,000
2009	40,000
2010	40,000
2011	45,000
2012	45,000
2013	45,000
2014	50,000
2015	50,000
2016	55,000
2017	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 April 1 and October 1 in each year, beginning April 1, 2008.

Book-Entry-Only System

The bonds shall be 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 or a qualified financial surety bond in the amount of \$9,300 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about November 20, 2007, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2007 is \$54,409,112. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$10,335,000.

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 when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the undersigned or from the financial advisor at the addresses set forth below.

Written Bid and Good Faith Deposit

Delivery Address:

Anthony D. Royse, Clerk
City Hall
120 N. 6th St
Independence, KS 67301
(620) 332-2500
Fax (620) 332-2511
E-mail: tonyr@comgen.com

Financial Advisor - Facsimile Bid and Good Faith

Deposit Delivery Address:

Stifel, Nicolaus & Company, Incorporated
Financial Advisor
301 N. Main, Suite 800
Wichita, KS 67202
Attn: Patricia A. Hinojos
(316) 337-8498
Fax (316) 337-8492
E-mail: hinojosp@stifel.com

Dated October 18, 2007.

City of Independence, Kansas

Doc. No. 035020

State of Kansas

University of Kansas

Notice to Bidders

The University of Kansas encourages interested vendors to visit the University of Kansas Purchasing Services Web site at <http://www.purchasing.ku.edu/> for a complete listing of all transactions for which KU Purchasing Services, or one of the consortia commonly utilized by KU, are seeking competitive bids. Paper postings of KU Purchasing Services bid transactions may be viewed at the Purchasing Services office located at 1246 W. Campus Road, Room 7, Lawrence, 66045, or persons may contact Purchasing Services at (785) 864-3790, by fax at (785) 864-3454 or by e-mail at purchasing@ku.edu to request a copy of a current bid.

Barry K. Swanson
Associate Comptroller/
Director of Purchasing Services

Doc. No. 035001

State of Kansas

Department of Health
and EnvironmentTemporary Administrative
RegulationsArticle 36.—FOOD SERVICE ESTABLISHMENTS,
FOOD VENDING MACHINE COMPANIES AND
LODGING ESTABLISHMENTS

28-36-33 through 28-36-45. (Authorized by K.S.A. 1978 Supp. 36-506; effective May 1, 1979; revoked, T-28-10-8-07, Oct. 8, 2007.)

28-36-46. (Authorized by and implementing K.S.A. 36-506; effective May 1, 1983; revoked, T-28-10-8-07, Oct. 8, 2007.)

28-36-47. (Authorized by and implementing K.S.A. 36-506; effective May 1, 1983; revoked, T-28-10-8-07, Oct. 8, 2007.)

28-36-48. (Authorized by and implementing K.S.A. 36-507; effective May 1, 1983; revoked, T-28-10-8-07, Oct. 8, 2007.)

28-36-49. (Authorized by and implementing K.S.A. 36-507; effective May 1, 1983; revoked, T-28-10-8-07, Oct. 8, 2007.)

28-36-70. Definitions. Each of the following terms as used in K.A.R. 28-36-70 through K.A.R. 28-36-89 shall have the meaning assigned in this regulation. (a) "Bathhouse" means a room provided to guests, including a locker room, shower room, or other similar room, where guests can shower, store personal items, or change into appropriate clothing for use in the spa.

(b) "Bed and breakfast home" means a boarding house that is a private residence where the owner or manager resides and provides lodging and meals for guests. Any licensee operating a bed and breakfast home may serve food only to the licensee's overnight guests, unless the licensee obtains a food service license.

(c) "Boarding house" has the meaning specified in K.S.A. 36-501, and amendments thereto.

(d) "Egress" means an exit or route leading out of a lodging establishment.

(e) "Extended-stay establishment" means a lodging establishment in which a room is rented or leased to transient guests. Housekeeping functions are not provided on a daily basis.

(f) "Hotel" has the meaning specified in K.S.A. 36-501, and amendments thereto.

(g) "Hot tub" means a pool or container of water designated for recreational use in which one or more people can soak. A hot tub can use hydrojet circulation or an air induction system, or a combination of these, to provide water circulation. A hot tub can use various water temperatures and additives, including minerals and oils, to provide therapy or relaxation.

(h) "KDHE" means Kansas department of health and environment.

(i) "Kitchenette" means a compact kitchen with cooking utensils, tableware, refrigerator, microwave, stove, or sink or any combination of these.

(j) "Licensee" means a person who is responsible for the operation of the lodging establishment and possesses a valid license to operate a lodging establishment.

(k) "Linens" means the cloth items used in the lodging establishment, including sheets, bedspreads, blankets, pillowcases, mattress pads, towels, and washcloths.

(l) "Lodge" means a boarding house or a rooming house that provides seasonal lodging for recreational purposes. If meals are provided for overnight guests, the lodge is operating as a boarding house. If meals are not provided for overnight guests, the lodge is operating as a rooming house.

(m) "Lodging establishment" has the meaning specified in K.S.A. 36-501, and amendments thereto.

(n) "Major renovation" means a physical change to a lodging establishment or portion of a lodging establishment, including the following:

(1) Replacing or upgrading any of the following types of major systems:

- (A) Electrical;
- (B) plumbing;
- (C) heating, ventilation, and air-conditioning;

(2) demolition of the interior or exterior of a building or portion of the building; and

(3) replacement, demolition, or installation of interior walls and partitions, whether fixed or moveable.

Major renovation shall not include replacement of broken, dated, or worn equipment and other items, including individual air-conditioning units, bathroom tiles, shower stalls, and any other items that do not require additional or new plumbing or electrical repairs.

(o) "Municipality" has the meaning specified in K.S.A. 36-501, and amendments thereto.

(p) "Person" has the meaning specified in K.S.A. 36-501, and amendments thereto.

(q) "Person in charge" means the individual or employee who is present in the lodging establishment at the time of the inspection and who is responsible for the operation. If no designated individual or employee is the

person in charge, then any employee present is the person in charge.

(r) "Recreational water facility" and "RWF" mean a water environment with design and operational features that provides guests with recreational activity and that involves immersion of the body partially or totally in the water. This term shall include water slides, watercourse rides, water activity pools, jetted pools, and wave pools. This term shall not include swimming pools and hot tubs.

(s) "Regulatory authority" means the secretary of the department of health and environment or the secretary's designee.

(t) "Rooming house" has the meaning specified in K.S.A. 36-501, and amendments thereto.

(u) "Sanitize" means to apply cumulative heat or chemicals on any clean surface so that, when evaluated for efficacy, the surface yields a reduction of five logarithms, which is equal to a reduction of 99.999%, of disease-causing microorganisms.

(v) "Secretary" has the meaning specified in K.S.A. 36-501, and amendments thereto.

(w) "Single-service articles" means items that are designed, constructed, and intended for one-time use and for one person's use, after which the item is discarded. This term shall include plastic, paper, or foam tableware and utensils, lightweight metal foil, stirrers, straws, toothpicks, and other items including single-use gloves, bags, liners, containers, placemats, and wrappers.

(x) "Spa" means any area of a lodging establishment where a hot tub, swimming pool, fitness equipment, tanning bed, or similar guest amenities are located. (Authorized by K.S.A. 36-506; implementing K.S.A. 36-501 and 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-71. Licensure; plans and specifications; variances. (a) Each person applying for a license to operate a lodging establishment shall submit the following to the department:

(1) A completed application and the required application and license fees; and

(2) if required by subsection (b), the plans and specifications of the lodging establishment.

(b) The plans and specifications shall be submitted before any of the following:

(1) The construction of a lodging establishment;

(2) the conversion of an existing structure for use as a lodging establishment;

(3) the major renovation of a lodging establishment;

(4) the addition or major renovation of a swimming pool, hot tub, RWF, or spa; or

(5) the addition or change of a food service operation within a lodging establishment.

(c) Each plan and specification for a lodging establishment shall demonstrate conformance with the applicable requirements of these regulations and shall include the following:

(1) The proposed layout, mechanical schematics, construction materials, and completion schedules;

(2) the equipment layout, construction materials, and completion schedules for any food preparation and service area; and

(3) the equipment layout and completion schedules for each swimming pool, hot tub, RWF, and spa.

(d) A variance may be granted by the regulatory authority to modify or waive one or more requirements of a regulation if the regulatory authority determines that a health hazard, safety hazard, or nuisance will not result from the variance.

(1) Each person requesting a variance shall submit the following to the department:

(A) A written statement of the proposed variance of the regulatory requirement;

(B) documentation of how the proposed variance addresses public health hazards and guest safety at the same level of protection as that of the original requirement; and

(C) any other relevant information if required by the secretary.

(2) For each variance granted, the licensee shall meet the following requirements:

(A) Follow the plans and procedures approved by the regulatory authority;

(B) maintain a permanent record of the variance at the lodging establishment; and

(C) maintain and provide to the regulatory authority, upon request, records that demonstrate that the variance is being followed. (Authorized by and implementing K.S.A. 36-502 and 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-72. Food service and food safety. Each licensee that serves food shall comply with one of the following provisions:

(a) Each licensee, if serving food to the general public, shall be required to obtain a food service license in accordance with K.S.A. 36-501 et seq., and amendments thereto, and comply with all provisions of the Kansas food code regulations, K.A.R. 28-36-101 through K.A.R. 28-36-108.

(b) A licensee that provides only commercially prepared, individually portioned prepackaged foods that are non-potentially hazardous or offers whole, uncut fresh fruits or coffee for guests shall not be considered to be operating a food establishment as specified in K.A.R. 28-36-101, but shall comply with all of the following requirements:

(1) All food shall be free from spoilage, filth, or other adulteration and shall be safe for human consumption.

(2) Condiments, if provided, shall be in individual packages.

(3) Only single-service articles shall be used for serving food.

(4) Single-service articles shall be stored, handled, and dispensed in a manner that prevents contamination of food contact surfaces.

(5) All food service areas and all food contact surfaces shall be smooth, free of breaks, open seams, cracks, chips, and similar imperfections and shall be kept clean.

(6) All food shall be stored and presented in a way that protects the food from cross contamination.

(7) All food service and storage areas shall be free of the evidence of insects, rodents, and other pests.

(8) Employees that handle food shall observe hygienic practices during all working periods of food service. Employees shall wash their hands before working with food;

(continued)

after using the toilet, smoking, eating, and drinking; and as often as necessary to keep their hands clean.

(c) Each licensee of a hotel that stores, prepares, packages, serves, or otherwise provides food to the licensee's overnight guests shall obtain a food service license in accordance with K.S.A. 36-501 et seq., and amendments thereto, and comply with all provisions of the Kansas food code regulations, K.A.R. 28-36-101 through K.A.R. 28-36-108.

(d) Any licensee of a boarding house who does not have a food service license as specified in K.S.A. 36-501 et seq., and amendments thereto, may serve food only to the overnight guests. The licensee of each boarding house shall comply with all provisions of the Kansas food code regulations, K.A.R. 28-36-101 through K.A.R. 28-36-108. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-73. Imminent health hazard. (a) Each licensee shall discontinue operations of the affected portions of the lodging establishment on discovery that an imminent health hazard exists.

"Imminent health hazard" shall include fire, flood, sewage backup, rodent infestation, bed bug or other insect infestation, misuse of poisonous or toxic materials, gross unsanitary occurrence or condition, or any other condition that could endanger the health and safety of guests, employees, and the general public.

(b) Each licensee shall notify the regulatory authority within 12 hours of the discovery of an imminent health hazard. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-74. General requirements. (a) Each licensee shall meet all of the following requirements:

(1) Post the license in a location in the lodging establishment that is conspicuous to guests;

(2) comply with the provisions of these regulations, including the conditions of any granted variance;

(3) ensure that no room or any portion of the lodging establishment is rented unless the room or portion of the lodging establishment is safe and sanitary; and

(4) replace any existing items, including equipment, furnishings, fixtures, or items of décor, with items that meet the requirements of these regulations, under any of the following conditions:

- (A) The items constitute a public health hazard;
- (B) the items affect guest safety; or
- (C) the items do not meet the requirements of these regulations.

(b) Each licensee shall ensure that the hot water capacity is sufficient to meet the hot water demands of the lodging establishment.

(c) Each licensee shall ensure that all handwashing sinks meet all of the following requirements:

(1) Hot and cold potable water shall be supplied under pressure to each sink in enough capacity to meet handwashing needs.

(2) A mixing valve or combination faucet shall be used, unless the lodging establishment is listed on the state historical register or a variance that alters this requirement has been granted.

(3) The temperature of the hot water shall be at least 100 degrees Fahrenheit. If a mixing valve or combination faucet is not used, the temperature of the hot water shall not exceed 130 degrees Fahrenheit.

(4) A supply of hand soap and either paper towels or an electric drying device shall be available at all times at the handwashing sink.

(d) In public areas, cloth towels may be provided for one-time use by an individual. A receptacle for the soiled cloth towels shall be provided.

(e) The use of a common cloth towel shall be prohibited, except in guest rooms.

(f) A handwashing reminder sign shall be posted in each handwashing area, except in guest rooms.

(g)(1) A toilet room that is accessible at all times to employees shall be provided. A public toilet room may be used by employees in lieu of a separate employee toilet room.

(2) A public toilet room or rooms shall be provided and accessible to the public if the lodging establishment provides space for guest or public gatherings or functions, including conferences, meetings, seminars, receptions, teas, dances, recitals, weddings, parties, wakes, and other events.

(3) There shall be at least one handwashing sink in or immediately adjacent to each toilet room. Each sink shall meet the requirements specified in subsection (c).

(4) Each toilet and urinal shall be sanitary, maintained in good repair, and operational at all times.

(5) Each toilet and urinal shall be cleaned and sanitized daily or more often if visibly soiled.

(6) The floor in each toilet room shall be constructed of smooth, nonabsorbent, easily cleanable materials and maintained in good repair. Carpeting shall be prohibited as a floor covering in toilet rooms.

(7) Except as specified in this paragraph, the storage of items in any toilet room shall be prohibited. A small amount of commonly used toilet room supplies may be stored, including toilet paper, hand soap, and paper towels. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-75. Personnel; health, cleanliness, and clothing. Each licensee shall ensure that all of the following requirements are met:

(a) Health of employees. Each employee with any of the following health problems shall be excluded from a lodging establishment:

(1) The employee is infected with a communicable disease, and the disease can be transmitted to other employees or guests in the normal course of employment.

(2) The employee is a carrier of organisms that cause a communicable disease.

(3) The employee has a boil, an infected wound, or an acute respiratory infection.

(b) Cleanliness of employees.

(1) Each employee shall wash that employee's hands in accordance with paragraph (b)(2) before handling clean utensils or dishware, ice, beverages, food, or clean laundry.

(2) Each employee shall wash that employee's hands and any exposed portions of that employee's arms with

soap and water in a designated sink by vigorously rubbing together the surfaces of the lathered hands and arms for at least 20 seconds and thoroughly rinsing with clean water.

(c) Clothing. Each employee providing services directly to guests or performing housekeeping functions shall wear clean outer clothing that is in good repair. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-76. Guest and public safety. (a) If the regulatory authority has reason to believe that defects could be present with regard to the integrity of the structure or electrical system of the lodging establishment, that authority may require the licensee to retain the services of a professional engineer or local building code officer to certify the lodging establishment for building safety. Disasters after which the structural integrity may need to be evaluated shall include a heavy snow or ice storm, flood, tornado, straight-line winds, fire, hurricane, and earthquake.

(b) Each licensee shall ensure that all repairs, construction, renovations, and maintenance are conducted in a manner that provides safe conditions for the guests and the public.

(c) The licensee of each lodging establishment using fuel-fired equipment or appliances that pose a potential carbon monoxide risk, including lodging establishments with attached parking garages or wood-burning fireplaces, shall install one or more carbon monoxide detectors according to the manufacturer's specifications.

(1) A carbon monoxide detector shall be required in each non-guest room adjoining or sharing a common ventilation system with an attached parking garage.

(2) Each carbon monoxide detector shall be in working condition.

(A) Each carbon monoxide detector shall be tested at least every six months to ensure that the detector is operating properly. The batteries shall be changed, as needed.

(B) A 12-month history of all test results shall be logged and maintained at the lodging establishment and made available to the regulatory authority upon request.

(C) If a battery-operated detector is not operational for two consecutive tests, the licensee shall install a detector that is hardwired with a battery backup.

(3) A carbon monoxide detector shall not be required to be installed in an attached parking garage area.

(d) The operation and maintenance requirements for each lodging establishment shall include all of the following:

(1) Each lodging establishment shall meet the requirements of all applicable building codes, fire codes, and ordinances.

(2) No freshly cut Christmas trees or boughs shall be used unless the freshly cut trees or boughs are treated with a flame-resistant material. The documentation of the treatment shall be kept on file at the lodging establishment for at least one year.

(3) Textile materials having a napped, tufted, looped, woven, nonwoven, or similar surface shall not be applied to walls or ceilings, unless the textile materials are treated

with a flame-resistant material. The documentation of the treatment shall be kept on file at the lodging establishment for as long as the materials are used on the walls or ceilings. This documentation shall be made available to the regulatory authority upon request. Carpeting used as coving that covers the junction between the floor and walls shall be exempt from this requirement.

(4) Foam or plastic materials or other highly flammable or toxic material shall not be used as an interior wall, ceiling, or floor finish unless approved by the regulatory authority.

(5) The doors in any public areas that lead outside the lodging establishment shall not be locked or blocked, preventing egress when the building is occupied. No exit doors shall be concealed or obscured by hangings, draperies, or any other objects.

(6)(A) Portable fire extinguishers shall be required and located in the hallways, mechanical rooms, laundry areas and all other hazardous areas and within 75 feet of each guest room door. All portable fire extinguishers shall be easily accessible to the guests and employees.

(B) Each fire extinguisher shall meet the following requirements:

(i) Be maintained in a fully charged and operable condition;

(ii) be rated at least 2A-10BC;

(iii) contain at least five pounds of fire suppressant; and

(iv) be inspected annually by a fire extinguisher company, a fire department representative, or another entity approved by the regulatory authority. The licensee shall retain a record of these inspections at the lodging establishment for at least one year.

(7) Emergency lighting shall be provided where guest room doors open to an interior corridor and where guest room doors open to the outside but not directly at ground level.

(8) A smoke detector shall be installed in each guest sleeping room, cooking area and kitchen, interior stairwell, hallway, laundry area, mechanical room, and any other fire hazard area. Any heat-sensing device designed to detect fire may be installed in a cooking area in lieu of a smoke detector.

(A) All smoke detectors and heat-sensing devices shall be maintained in operating condition.

(B) Each smoke detector and each heat-sensing device shall be tested at least every six months to ensure that the detector or device is operating properly. The batteries shall be replaced as needed.

(C) A 12-month history of test results shall be logged and maintained at the lodging establishment and made available to the regulatory authority upon request.

(D) If a battery-operated detector is not operational for two consecutive tests, the licensee shall install a detector that is hardwired with a battery backup.

(E) Smoke detectors for hearing-impaired individuals shall be available as specified in K.S.A. 36-517, and amendments thereto.

(9) If hardwired, interconnected smoke detectors are used, these detectors shall be tested and approved annually by a fire sprinkler company, fire alarm company, fire department representative, or any other entity ap-

(continued)

proved by the regulatory authority. A 12-month history of test results shall be maintained at the lodging establishment and made available to the regulatory authority upon request.

(10) If fire alarm systems and fire sprinkler systems are used, the systems shall be tested and approved annually by a fire alarm company, fire sprinkler company, fire department representative, or any other entity approved by the regulatory authority. A 12-month history of test results shall be maintained at the lodging establishment and made available to the regulatory authority upon request.

(11)(A) All exit signs shall be clean and legible. At least one exit sign shall be visible from each of the following locations:

(i) The doorway of each guest room that opens to an interior corridor; and

(ii) the doorway of each guest room that opens to the outdoors but not directly at ground level.

(B) Each newly constructed lodging establishment shall have supplemental directional signs indicating the direction and path of egress.

(C) Boarding houses and rooming houses shall not be required to have exit signs if the requirements in paragraphs (d)(5) and (12) are met.

(12) An evacuation route diagram shall be posted in a conspicuous location in each guest room. The diagram shall include the location of the guest room, the layout of the floor, and the location of the nearest available exits. If the door of a guest room opens directly to the outdoors at ground level, the diagram shall not be required to be posted.

(13) A copy of an emergency management plan and employee instructions shall be kept on file in the lodging establishment, made accessible to all employees, and made available to the regulatory authority upon request. A record that each employee has received training on the emergency management plan shall be maintained at the lodging establishment in each employee's file. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-77. Guest rooms. Each licensee shall ensure that each guest room is kept clean, is in good repair, and is maintained with regard to the health and safety of each guest, in accordance with all of the following requirements:

(a) The walls, floors, ceilings, doors, and windows shall be constructed of materials intended for that purpose, maintained in good repair, and cleaned, painted, or replaced as necessary.

(1) All junctures between floors and walls shall be constructed, covered, or finished with a baseboard and readily cleanable.

(2) All floors and floor coverings shall be cleaned as needed. The methods for cleaning shall be suitable to the finish and material.

(3) All floor maintenance, repair, or replacement shall be done in a manner that prevents slipping or tripping hazards to any guest.

(4) A guest room that has visible mold on the floors, walls, ceiling, or windows shall not be rented until mold cleanup is completed.

(b) All furnishings, including draperies, beds, appliances, furniture, lamps, and decorative items, shall be kept clean and in good repair. The methods for cleaning shall be suitable to the material and finish.

(c) Each guest room shall have a connecting toilet room and bathing facilities, including a bathtub or shower, except for the following:

(1) If the lodging establishment is listed on the state historical register and documentation is provided to the regulatory authority, at least one toilet room with bathing facilities located on the same floor shall be provided for every two guest rooms, unless otherwise specified by the regulatory authority.

(2) If the lodging establishment is a boarding house, including a bed and breakfast home, or a rooming house, at least one toilet room with bathing facilities located on the same floor shall be provided for every two guest rooms.

(3) If the lodging establishment is a lodge with dormitory sleeping areas, at least one toilet and at least one bathtub or one shower shall be provided for every six guests and shall be located within the same building as the dormitory sleeping area or adjacent to the dormitory sleeping area.

(d) Each handwashing sink shall meet the requirements specified in K.A.R. 28-36-74.

(e) Each rented guest room shall be serviced daily in the following manner except as otherwise specified in this subsection:

(1) Clean bathroom linens, including towels and washcloths, shall be provided. If bathmats are provided, the bathmats shall be clean.

(2) Clean bed linens shall be provided, and the bed shall be made.

(3) All floors shall be swept or vacuumed, if visibly soiled. All hard-surface floors shall be wet-cleaned if visibly soiled.

(4) Each toilet, sink, bathtub, and shower area shall be cleaned if visibly soiled.

(5) Each trash container shall be emptied and shall be cleaned if visibly soiled. A trash container liner may be reused during the same guest's stay if the liner is not visibly soiled.

(6) All soap and prepackaged guest toiletry items shall be replenished, as necessary.

(7) All toilet paper shall be replenished, as necessary.

(8) Clean ice bucket liners shall be provided and replaced, as necessary and upon request of the guest.

(9) All glassware and cups, if provided, shall be replaced with clean and sanitized dishware. Single-service cups, if provided, shall be replenished.

(10) If a coffeemaker is present in the guest room, the coffeemaker shall be rinsed. A fresh supply of coffee, condiments, and any single-service articles shall be replenished, if provided.

(f) Each guest room shall be serviced daily during the guest's stay if the stay is less than five days, unless the guest requests that all or part of the room not be serviced.

(g) If the same guest continuously occupies the same room for five or more days, the room shall be serviced and cleaned at least every five days. For each extended-

stay establishment, the guest room shall be serviced and cleaned at least every five days.

(h) Each guest room that is available for rent shall be serviced and cleaned before each new guest. In addition to the required service activities in subsection (e), each guest room cleaning shall include the following:

(1) All floors shall be swept or vacuumed, and all hard-surface floors shall be wet-cleaned.

(2) All furniture, fixtures, and any items of decoration shall be cleaned in a manner that is appropriate to the finish.

(3) The interior of all drawers shall be cleaned.

(4) All toilets, sinks, bathtubs, and shower areas shall be cleaned and sanitized in a manner that is appropriate to the finish.

(5) All sinks, bathtubs, and shower areas shall be kept free of hair, mold, and mildew.

(6) Bed linens and bath linens shall not be used for cleaning or dusting.

(7) All trash containers shall be emptied and cleaned, and new liners shall be provided.

(8) All ice bucket liners shall be replaced with new liners.

(9) All used guest toiletries and soap shall be replenished.

(10) The guest room shall be visually inspected for any evidence of insects, rodents, and other pests.

(i)(1) All bedspreads, top-covering linens, blankets, mattress pads, mattresses, and box springs shall be cleaned and maintained in good repair according to all of the following requirements:

(A) All linens with tears, holes, or stains shall be replaced.

(B) All bedspreads and top-covering linens shall be cleaned at least monthly.

(C) All blankets and mattress pads shall be cleaned at least monthly. All blankets and mattress pads that are visibly soiled or stained shall be removed and replaced with clean linen.

(D) All mattresses and box springs shall be clean and free of stains. Each damaged, soiled, or stained mattress and box spring shall be repaired, cleaned, or replaced.

(2) The interior and surface of each enclosed mattress platform shall be cleaned if visibly soiled and either maintained in good repair or replaced.

(j) At least one ice bucket with disposable liners shall be provided in each guest room.

(k) No coffeemaker or coffeepot shall be located within a toilet room. Each coffeepot shall be washed, rinsed, and sanitized before each new guest as specified in K.A.R. 28-36-78.

(l) All single-service drinking glasses and utensils shall be prepackaged.

(m) All food and condiments provided in each guest room shall be individually prepackaged.

(n) If a refrigerator unit is provided in a guest room, the unit shall be cleaned before each new guest.

(o) Each appliance provided for guest use, including microwaves, stoves, dishwashing machines, coffeemakers, hair dryers, clothing irons, radios, televisions, remote controls, and video equipment, shall be operational and in good repair. All cooking appliances, including micro-

waves and stoves, shall be cleaned before each new guest. All appliances shall be listed with or certified by underwriters' laboratories (UL) and shall bear the UL designation.

(p) Except as specified in this subsection, the use of portable electrical or open-flame cooking devices shall be prohibited in a guest room. These devices shall include hot plates, electric skillets and grills, propane and charcoal grills, camping stoves, and any similar cooking devices. These devices shall not include slow cookers. Microwaves and toasters that are provided in a guest room by the licensee shall be permitted.

(q) Each guest room shall be free of any evidence of insects, rodents, and other pests.

(1) If a guest room has been vacant for at least 30 days, the licensee shall visually inspect that room for any evidence of insects, rodents, and other pests within 24 hours of occupancy by the next guest.

(2) No guest room that is infested by insects, rodents, or other pests shall be rented until the infestation is eliminated.

(3) The presence of bed bugs, which is indicated by observation of a living or dead bed bug, bed bug carapace, eggs or egg casings, or the typical brownish or blood spotting on linens, mattresses, or furniture, shall be considered an infestation.

(4) The presence of bed bugs shall be reported to the regulatory authority within one business day upon discovery or upon receipt of a guest complaint.

(5) All infestations shall be treated by a licensed pest control operator (PCO).

(6) All pest control measures, both mechanical and chemical, shall be used in accordance with the manufacturer's recommendations.

(7) No rodenticides, pesticides, or insecticides shall be stored in a guest room or in any area that could contaminate guest supplies, food, condiments, dishware, or utensils.

(r)(1) The licensee of each lodging establishment that allows pets into any guest room shall advise consumers that the establishment is "pet-friendly" by posting a sign in a conspicuous place at the front desk to alert guests that pets are allowed.

(2) The licensee of each lodging establishment where pets or service animals have been in a guest room shall ensure that the guest room is deep cleaned before the next guest. Deep cleaning shall include servicing and cleaning the guest room as specified in subsections (e) and (h), as well as vacuuming and shampooing the carpet and upholstered furnishings and vacuuming the mattress. All bed linens, including sheets, mattress pads, blankets, bedspreads or top coverings, and pillows, shall be replaced with clean bed linens. The licensee shall meet the requirements of this paragraph whether or not the licensee allowed the pets or service animals into the guest room.

(s) Each guest room shall be provided with a means for locking each entrance both from the inside and from the outside, according to all of the following requirements:

(1) The key furnished to each guest shall not unlock the door to any other guest room.

(continued)

(2) At least one secondary lock, including a dead bolt lock, thumb bolt, chain lock, or a similar device, shall be provided in addition to the primary key lock and shall be installed in accordance with the manufacturer's specifications.

(3) All locks shall be in good repair and fully operational.

(t) Each pair of connecting guest rooms shall have two doors in the connecting doorway. Each connecting door shall be equipped with a lock on only the guest room side of that door.

(u) A safe depository for the storage of guest valuables shall be either provided in the guest room or made available at the front desk.

(v) If cribs are provided upon request, the cribs shall be easily cleanable, safe, and in good repair. Each crib rail, pad, and mattress shall be cleaned and sanitized after each guest. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-78. Dishware and utensils. Each licensee shall ensure that all of the following requirements are met: (a) General.

(1) All dishware and utensils that are designed for repeat use shall be made of safe, durable, and nonabsorbent material and shall be kept in good repair. No cracked or chipped dishware or utensils shall be provided for use by guests or employees.

(2) All single-service articles shall be constructed of safe, durable, and nonabsorbent materials.

(3) All single-service drinking glasses and utensils shall be prepackaged or protected in a dispenser.

(4) No single-service articles may be reused.

(b) Storage.

(1) All clean dishware and utensils and all single-service articles shall be protected from dirt, dust, liquids, insects, vermin, and any other sources of contamination at all times.

(2) Each licensee shall provide storage facilities for dishware and utensils in a clean, dry location at least six inches above the floor.

(3) No dishware and utensils shall be stored under an exposed sewer line or a dripping water line.

(4) No dishware, utensils, single-service articles, ice buckets, and food containers shall be located or stored within a toilet room.

(c) Cleaning and sanitization. Each licensee shall use either manual cleaning and sanitizing equipment or mechanical cleaning and sanitizing equipment.

(1) All dirty or used glasses, dishware, and utensils that are in areas other than a guest room kitchenette shall be removed from each guest room during the servicing or cleaning of the room and upon vacancy of that room. All items shall be washed, rinsed, and sanitized using one of the approved methods in this regulation.

(2) If the licensee provides repeat service dishware or utensils to the lodging establishment's guests or to the public, the licensee shall install in the lodging establishment, or in a food service area operated in conjunction with the lodging establishment, manual or mechanical cleaning equipment for dishware and utensils that meets the requirement of this regulation.

(3) The manual cleaning and sanitizing of dishware, utensils, and food equipment shall meet all of the following requirements:

(A) (i) A sink with at least three compartments or three adjacent sinks shall be used and shall be large enough to permit the immersion of the largest item of dishware, utensil, or food equipment articles to be cleaned.

(ii) All sinks and dishware drying surfaces shall be cleaned before use.

(B) Each compartment of the sink shall be supplied with hot and cold potable running water.

(C) The wash, rinse, and sanitizing water shall be kept clean.

(D) The steps for manual cleaning and sanitizing shall consist of all of the following:

(i) All dishware, utensils, and food equipment shall be thoroughly washed in the first compartment with a hot detergent solution.

(ii) All dishware, utensils, and food equipment shall be rinsed free of detergent and abrasives with clean water in the second compartment.

(iii) All dishware, utensils, and food equipment shall be sanitized in the third compartment according to one of the methods in paragraph (c)(3)(E).

(E) The food contact surfaces of all dishware, utensils, and food equipment shall be sanitized during manual ware washing by one of the following methods:

(i) Immersion for at least 10 seconds in a clean solution containing 50 to 200 parts per million of available chlorine, with a water temperature of at least 75 degrees Fahrenheit;

(ii) immersion for at least 30 seconds in clean hot water with a temperature of at least 171 degrees Fahrenheit;

(iii) immersion in a clean solution containing a quaternary ammonium compound with a minimum water temperature of 75 degrees Fahrenheit and with the concentration indicated by the manufacturer's directions on the label; or

(iv) immersion in a clean solution containing a sanitization chemical other than those specified in this subsection that meets the applicable requirements specified in K.A.R. 28-36-104.

(F) A chemical test kit, thermometer, or other device that accurately measures the concentration of sanitizing chemicals, in parts per million, and the temperature of the water shall be available and used daily.

(4) The mechanical cleaning and sanitizing of dishware, utensils, and food equipment may be done by spray-type or immersion commercial dishwashing machines. Another type of dishwashing machine or device may be used if the machine or device meets the requirements of this regulation.

(A) Each dishwashing machine and device shall be properly installed and maintained in good repair and shall be operated in accordance with the manufacturer's instructions.

(B) If an automatic detergent dispenser, rinsing agents dispenser, or liquid sanitizer dispenser is used, the dispenser shall be properly installed and maintained.

(C) Each dishwashing machine using hot water to sanitize shall be installed and operated according to the manufacturer's specifications and shall achieve a minimum

dishware and utensil surface temperature of 160 degrees Fahrenheit as measured by a dishwasher-safe thermometer. For each dishwashing machine using hot water to sanitize that does not cause the surface temperature of the dishware and utensils to reach a temperature of 160 degrees Fahrenheit, one of the following requirements shall be met:

(i) The licensee shall install a heat booster.

(ii) The licensee shall provide the regulatory authority with documentation of a time and temperature relationship that results in the sanitization of the dishware and utensils.

(D) The final rinse temperature of each dishwashing machine using hot water to sanitize shall be monitored by a dishwasher-safe thermometer.

(E) All dishware, utensils, and food equipment shall be exposed to all dishwashing and drying cycles.

(F) Each dishwashing machine using chemicals for sanitization shall be used as follows:

(i) The temperature of the wash water shall be at least 120 degrees Fahrenheit, and the chemical sanitizing rinse water shall be at least 75 degrees Fahrenheit unless specified differently by the machine's manufacturer.

(ii) The wash water shall be kept clean.

(iii) The chemicals added for sanitization purposes shall be automatically dispensed.

(iv) All dishware, utensils, and food equipment shall be exposed to the final chemical sanitizing rinse in accordance with the manufacturer's specifications for time and concentration.

(v) All chemical sanitizers shall meet the applicable requirements of K.A.R. 28-36-104.

(G) A chemical test kit, thermometer, or other device that accurately measures the concentration of sanitizing chemicals, in parts per million, and the temperature of the water shall be available and used daily.

(H) Each dishwashing machine or device shall be cleaned as often as necessary to be maintained in operating condition according to the manufacturer's specifications.

(d) All dishware, utensils, and food equipment shall be air-dried.

(e) Each licensee that provides dishware, utensils, and food equipment in the guest room shall clean and sanitize the dishware, utensils, and food equipment provided by one of the following methods:

(1) Provide manual dishwashing and sanitizing as specified in paragraph (c)(3);

(2) provide a mechanical dishwashing machine as specified in paragraph (c)(4); or

(3) provide a complete set of clean and sanitized dishware, utensils, and food equipment before each new guest. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-79. Housekeeping and laundry facilities; maintenance supplies and equipment. Each licensee shall ensure that all housekeeping and laundry facilities and equipment are clean and maintained in good repair. Each licensee shall ensure that all of the following requirements are met:

(a)(1) Each housekeeping cart shall be maintained and operated to prevent the contamination of clean linens by dirty linens.

(2) Each housekeeping cart shall be designed, maintained, and operated to protect clean glasses, utensils, dishware, single-service articles, food, coffee, and condiments from dirty linens and other sources of contamination, including dirty glasses and dishware, cleaning and sanitizing agents, and poisonous or toxic materials.

(3) Each service or utility cart shall be maintained and operated to prevent the contamination of clean linens by dirty linens or other sources of contamination, according to one of the following methods:

(A) Cleaning and sanitizing the service cart before transporting clean linens;

(B) lining the service cart with a clean liner before transporting clean linens;

(C) placing the clean linens in a clean container before transporting the linens in the service cart; or

(D) using another method as approved by the regulatory authority.

(4) All laundry bags used for dirty linen shall be laundered before being used for clean linen.

(5) Each housekeeping cart and each service cart shall be kept clean and in good repair.

(b)(1) Each licensee shall provide laundry facilities, unless a commercial laundry service is used.

(2) All clean laundry shall be handled in a manner that prevents contact with dirty linen.

(3) Each laundry area shall be designed and arranged in a manner that provides for the functional separation of clean and dirty laundry. A space large enough for sorting and storing soiled linens and for sorting and storing clean linens shall be provided.

(4) The laundry facilities shall be located in areas that are not used by guests or the public and are not used as corridors or passageways.

(5) The laundry area shall be kept clean and free from accumulated lint and dust.

(6) The laundry facilities and areas shall be used for their intended purpose and shall not be used for storage of equipment or supplies not related to the laundering process.

(7) All laundry equipment shall be functional and in good repair. Any laundry equipment that is no longer in use shall be removed from the laundry area.

(8) Each lodging establishment that is newly constructed, undergoes a major renovation, or is licensed under a new ownership shall be required to have a hand sink in the laundry area. Each hand sink shall meet the requirements specified in K.A.R. 28-36-74.

(9) All housekeeping and cleaning supplies and equipment shall be stored in a designated area. The storage area may be in the laundry area if the supplies and equipment are physically separated from the laundry, laundry equipment, and laundry supplies.

(c) All laundry that is cleaned commercially off the premises shall have a segregated storage space for clean and dirty laundry and shall be located and equipped for convenient pick-up and delivery.

(d) Separate laundry facilities may be provided for use by guests if these facilities are located in a room or area of the lodging establishment designated only for guest

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laundry. The area and equipment shall be kept clean and in good repair.

(e) Single-use gloves shall be available for housekeeping and laundry staff and made available in the laundry and housekeeping areas.

(f) A specific location or area shall be provided for the storage of maintenance supplies and equipment. No other items shall be stored in this location or area. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-80. Poisonous or toxic materials. Each licensee shall ensure that all of the following requirements are met: (a) Only those poisonous or toxic materials that are required for the operation and maintenance of the lodging establishment shall be allowed on the premises, including the following:

(1) Detergents, sanitizers, cleaning or drying agents, caustics, acids, polishes, and similar chemicals;

(2) insecticides and rodenticides;

(3) building maintenance materials, including paint, varnish, stain, glue, and caulking; and

(4) landscaping materials, including herbicides, lubricants, and fuel for equipment.

(b) The storage of poisonous or toxic materials shall meet all of the following requirements:

(1) The substances listed in each of the four categories specified in subsection (a) shall be stored on separate shelves or in separate cabinets. These shelves and cabinets shall be used for no other purpose.

(2) To prevent the possibility of contamination, poisonous or toxic materials shall not be stored above food, ice or ice-making equipment, linens, towels, utensils, single-service articles, or guest toiletry items. This requirement shall not prohibit the availability of cleaning or sanitizing agents in dishwashing or laundry work areas.

(c) Each bulk or original container of a poisonous or toxic material shall bear a legible manufacturer's label.

All poisonous or toxic materials taken from a bulk container or an original container and put into another container shall be clearly identified with the common name of the material.

(d) Each poisonous or toxic material shall be used according to the manufacturer's directions. Additional safety requirements regarding the safe use of poisonous or toxic materials may be established by the regulatory authority upon discovery of the unsafe use of these materials.

(e) Each restricted-use pesticide shall be applied only by a certified applicator or a person under the direct supervision of a certified applicator and in accordance with all applicable statutes and regulations. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-81. Public indoor areas. Each licensee shall ensure that all of the following requirements are met: (a) All indoor public areas shall be kept clean and free of debris.

(b) (1) All equipment, appliances, and fixtures shall be maintained in good repair. All equipment, appliances, and fixtures that require repair or maintenance either shall be removed for repair or maintenance or shall be

designated as damaged or under repair by using signs, placards, cones, hazard tape, or other visual means to alert guests of any possible hazard.

(2) All unused or damaged equipment, appliances, and fixtures shall be removed.

(c) (1) All floors and floor coverings in public areas, service areas, hallways, walkways, and stairs shall be kept clean by effective means suitable to the finish.

(2) All floor coverings shall be maintained in good repair. All floor maintenance, repair, and replacement shall be done in a manner that prevents slipping or tripping hazards to guests.

(d) All furniture and items of décor shall be in good repair and kept clean by effective means suitable to the material and finish.

(e) All stairs, landings, hallways, and other walkways shall be kept free of debris and in good repair and shall meet the following requirements:

(1) The storage of items shall be prohibited.

(2) A minimum illumination of 10 foot-candles shall be required.

(f) Each fitness room, bathhouse, and spa shall meet the following requirements:

(1) Each area shall be cleaned and sanitized daily or more frequently, if necessary to maintain cleanliness.

(2) All floors shall be maintained in good repair and have a slip-resistant finish or covering that prevents slipping when wet.

(3) All equipment and fixtures that come into contact with guests, including benches, tables, stools, chairs, tanning beds, and fitness equipment, shall be constructed with a covering of a nonabsorbent material suitable for the use of the equipment or fixture. The following requirements shall be met:

(A) All surfaces that come into contact with guests shall be cleaned and sanitized daily or more frequently, if necessary to maintain cleanliness.

(B) Cleaning or sanitizing solutions shall be made available for guest use and shall be kept in clearly labeled bottles.

(C) All showers shall be cleaned and sanitized daily or more frequently, if necessary to maintain cleanliness.

(4) (A) Towels, including bath towels, hand towels, and paper towels, shall be provided in the area and made available upon guest request.

(B) Each cloth towel shall be laundered before being provided to a guest.

(C) A receptacle for wet or soiled towels shall be provided for guest use in the area. The receptacle shall be emptied at least once daily.

(5) All equipment, fixtures, and recreational items provided for guest use shall be maintained in good repair.

(6) Protective eye equipment shall be provided if tanning equipment is provided for guest use. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-82. Ice and ice dispensing. Each licensee shall ensure that all of the following requirements are met: (a) (1) If ice is provided in a public area to guests or the general public, the ice shall be provided only through automatic, self-service dispensing machines that are con-

structed to prevent the direct access to bulk ice storage compartments by guests or the general public.

(2) Ice machines other than the type specified in paragraph (a)(1), including bin-type ice machines that allow direct access to the bulk ice storage compartments, shall not be accessible to guests or the general public. Any lodging employee may provide containers of ice to guests or the general public from this type of ice machine, from an icemaker, or from prepackaged ice.

(b) (1) Only ice that has been made from potable water and handled in a sanitary manner shall be provided by a lodging establishment. All ice shall be free of visible contaminants.

(2) All ice that is not made on the premises of the lodging establishment shall be obtained from a commercial source and shall be protected from contamination during transportation and storage.

(c) Each ice machine shall meet the following requirements:

(1) Be constructed of sanitary, durable, corrosion-resistant material and be easily cleanable;

(2) be constructed, located, installed, and operated to prevent contamination of the ice;

(3) be kept clean, free of any mold, rust, debris, or other contaminants, and maintained in good repair; and

(4) be drained through an air gap.

(d) (1) Each ice container or ice bucket shall meet the following requirements:

(A) Be made of smooth, nonabsorbent, impervious, food-grade materials and be easily cleaned;

(B) be kept clean and stored in a sanitary manner;

(C) be cleaned and sanitized before each new guest; and

(D) be provided with a sanitary, single-service use, food-grade liner that is changed daily.

(2) All canvas or wax-coated buckets or containers shall be prohibited.

(3) No ice container or ice bucket shall be located within the room housing the toilet.

(e) Each icemaker located in a guest room shall be kept clean and sanitary.

(1) No individual ice cube trays shall be used.

(2) All ice shall be removed from the icemaker's storage bin before each new guest. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-83. Exterior premises. Each licensee shall ensure that all of the following requirements are met: (a) Exterior areas and surfaces.

(1) All exterior areas and surfaces, including alleys and driveways, shall be kept clean, free of debris, and in good repair.

(2) Each walking, driving, and parking surface shall be surfaced with material, including concrete, asphalt, chip and seal gravel, or any other material approved by the regulatory authority, that minimizes dust. Each walking, driving, and parking surface shall be graded to prevent the pooling of water.

(3) All lawns and landscaping shall be mowed or pruned as needed to promote guest safety.

(4) All parking areas and walkways shall be illuminated for guest safety and shall be kept free of debris.

(5) All unused or discarded equipment and materials shall be removed from the premises, except when placed in a designated storage area.

(6)(A) All exterior balconies, landings, porches, decks, stairways, and ramps shall be kept in good repair and free of debris and shall be illuminated for guest safety.

(B) Storage on stairs, landings, and ramps shall be prohibited.

(C) All guards and railings shall be attached securely and shall be kept in good repair.

(D) All ramps shall have a slip-resistant surface.

(E) All exterior stairways, ramps, landings, and walkways shall be kept free of ice and snow.

(b) Outside playgrounds and recreational areas.

(1) All equipment shall be kept clean and in good repair at all times. All protruding bolts, screws, and nails and all sharp edges shall be removed or covered.

(2) The ground cover under children's play equipment shall be a soft surface, including turf, rubber chips, bark mulch, clean sand, or any other surface approved by the regulatory authority.

(3) Unused equipment shall be stored in a designated area.

(4) If the area is open for nighttime use, lighting shall be provided for guest safety.

(5) The area shall be kept clean and free of debris.

(6) If fencing is provided, the fencing shall be kept in good repair.

(c) Refuse containers.

(1) The area where refuse containers are located shall be kept free of debris and cleaned as necessary to prevent the attraction and harborage of insects, rodents, and other pests and to minimize odors.

(2) Containers of adequate capacity or number shall be available to store all refuse that accumulates between refuse pickups. All refuse containers shall be emptied at least once each week or more frequently, if necessary to meet the requirements of these regulations. All rotten waste shall be removed daily.

(3) All refuse container lids shall be closed. All refuse containers shall be kept on a solid surface. Solid surfaces shall include concrete, asphalt, and any other hard surface approved by the regulatory authority.

(d) Outdoor vector control.

(1) The premises shall be free of any harborage conditions that can lead to or encourage infestations of rodents, insects, and any other pests.

(2) Control measures shall be taken to protect against the entrance of rodents, insects, and any other pests into the lodging establishment. All buildings shall be vermin-proofed and kept in a verminproof condition.

All doors leading outside shall be tightfitting to eliminate entrance points for rodents, insects, and any other pests. All windows and doors that can be opened for ventilation shall have screening material that is at least 16 mesh to the inch and shall be tightfitting and kept in good repair.

(3) Identified infestation problems shall be treated by a licensed pest control operator (PCO).

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(4) All control measures, both mechanical and chemical, shall be used in accordance with each manufacturer's recommendations.

(e) Exterior storage.

(1) A storage area shall be provided for maintenance and recreational equipment, machinery, and any other maintenance items.

(2) Only those items necessary for the operation and maintenance of the lodging establishment shall be kept in a storage area.

(3) All poisonous and toxic materials shall be stored as specified in K.A.R. 28-36-80.

(4) Each storage area shall be kept free of debris, filth, and any harborage conditions.

(5) All articles in need of repair may be stored on a short-term basis, which shall not exceed six months. All articles that are not repaired within six months shall be discarded or moved to an off-site storage facility.

(f) Outdoor space for pets.

(1) Each lodging establishment that allows pets shall provide a designated and posted area in which pets can defecate and urinate. The designated area shall be kept clean. All pet feces shall be disposed of in a designated receptacle.

(2) All pets shall be kept on a leash or controlled in a manner that prevents the pets from running freely about the premises. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-84. Swimming pools, RWFs, and hot tubs.

(a) General requirements. Each licensee shall ensure that all swimming pools, RWFs, and hot tubs are kept sanitary and in good repair.

(1) Each swimming pool, RWF, and hot tub shall meet the requirements in these regulations, unless local ordinances pertaining to planning and design, lifesaving and safety equipment, water quality, and sanitation exist and these ordinances are as restrictive or more restrictive than these regulations.

(2) Each licensee shall maintain records of each inspection conducted by a local regulatory agency for at least one year. The inspection records shall be made available for review by the regulatory authority, upon request.

(b) Design and safeguards.

(1) Each plan for a new swimming pool or RWF and for a swimming pool or RWF undergoing major renovation, including installation of a diving board, slide, or other similar recreational devices, shall be designed by a licensed engineer, architect, or other qualified professional and shall be submitted to the regulatory authority before the start of construction. Submission of documentation of plan approval by the local regulatory agency shall meet the requirements of this paragraph.

(2) Each grate over a main drain in each swimming pool or RWF shall be intact, firmly affixed at all times, and designed to prevent swimmer entanglement, entrapment, or injury. Other methods to prevent swimmer entanglement, entrapment, or injury may include multiple main drains, antivortex drain covers, or any similar device approved by the regulatory authority.

(3) The depth of water in each swimming pool or RWF shall be plainly marked with at least four-inch high num-

bers of a color that contrasts with the color of the pool decking or vertical pool wall.

(A) Water depth markings for an inground swimming pool shall be clearly marked on the edge of the deck and visible at all times. In addition, water depth markings may be placed above the water surface on the vertical pool walls and shall be visible at all times.

(B) Water depth markings for each aboveground swimming pool or RWF shall be on the edge of the deck and shall be visible to persons entering the swimming pool. If water depth markings cannot be placed on the edge of the deck, another means shall be used so that the water depth is visible to persons entering the swimming pool.

(C) The water depth markings in each swimming pool or RWF shall be located in the following areas:

(i) At the maximum and minimum depths. Intermediate increments of depth may be used in addition to the required maximum and minimum depths; and

(ii) the transition point between the shallow end, which shall be five feet or less, and the deep end, which shall be more than five feet. This transition point shall be marked by a line on the floor and the walls of the swimming pool or RWF or by a safety rope equipped with buoys.

(4) Each lighting and electrical system for a swimming pool, RWF, or hot tub shall be kept in good repair at all times. The following requirements shall be met:

(A) Artificial lighting shall be provided at each swimming pool, RWF, or hot tub if used at night and for each indoor swimming pool, RWF, or hot tub. The lighting shall illuminate all portions of each swimming pool, RWF, or hot tub.

(B) All artificial lighting located in the water shall be designed and maintained to prevent electrical shock hazards to guests.

(5) Each outdoor swimming pool and RWF shall be protected by a fence, wall, building, or other enclosure that is at least four feet in height.

(A) Each enclosure shall be made of durable material and kept in good repair.

(B) Each gate shall have self-closing and self-latching mechanisms. The self-latching mechanism shall be installed at least four feet from the bottom of the gate.

(C) A hedge shall not be an acceptable protective enclosure.

(6) Each door leading into an indoor or enclosed swimming pool or RWF area shall have self-closing and self-latching mechanisms. The self-closing mechanism shall be at least four feet from the bottom of the door.

(c) Lifesaving and safety equipment.

(1) Each swimming pool or RWF shall have lifesaving equipment, consisting of at least one U.S. coast guard-approved flotation device that can be thrown into the water and at least one reaching device.

(A) The flotation device shall be attached to a rope that is at least as long as one and one-half times the maximum width of the swimming pool or RWF. If a lifeguard is on duty, life-saving rescue equipment, including rescue tubes, may also be used.

(B) The reaching device shall be a life pole or a shepherd's crook-type of pole, with a minimum length of 12 feet.

(C) Each lifesaving device shall be located in a conspicuous place and shall be accessible. The lifeguard personnel shall keep their rescue equipment close for immediate use.

(D) Each lifesaving device shall be kept in good repair.

(2) A first-aid kit shall be accessible to the lodging employees.

(3) No glass containers shall be permitted in the swimming pool, RWF, or hot tub area.

(4) Each swimming pool, RWF, and hot tub and each deck shall be kept clean of sediment, floating debris, visible dirt, mold and algae and shall be maintained free of cracks, peeling paint, and tripping hazards.

(5) Each swimming pool, RWF, and hot tub shall be refinished or relined if the bottom or wall surfaces cannot be maintained in a safe and sanitary condition.

(6) If handrails are not present, all steps leading into the swimming pool or RWF shall be marked in a color contrasting with the color of the interior of the swimming pool and RWF so that the steps are visible from the swimming pool or RWF deck. If step markings are not used when these regulations become effective, step markings shall be installed the first time the swimming pool or RWF is drained on or before January 1, 2010.

(7) All steps, ladders, and stairs shall be easily cleanable, in good repair, and equipped with nonslip treads. Handrails and ladders, if present, shall be provided with a handhold and securely attached.

(8) The rules of operation and safety signs for each swimming pool, RWF, and hot tub shall be posted in a conspicuous place at the swimming pool, RWF, or hot tub. Each swimming pool and RWF without a lifeguard shall have posted the following sign: "Warning — No Lifeguard On Duty." The sign shall be legible, with letters at least four inches in height.

(9) If chlorinating equipment is located indoors, the chlorinating equipment shall be housed in a separate room, which shall be vented to the outside or to another room that is vented to the outside. If chlorinating equipment is located outdoors and within an enclosed structure, the structure shall be vented to the outside.

(d) Water quality and sanitation. Each licensee shall ensure that all of the following requirements are met:

(1) Each swimming pool, RWF, and hot tub shall be maintained to provide for continuous disinfection of the water with a chemical process. This process shall use a disinfectant that leaves a measurable residual in the water.

(A) If chlorine or bromine is used to disinfect the water of any swimming pool or RWF, the water shall have a disinfectant residual level of at least 1.0 part per million (ppm) and not more than 5.0 ppm.

(B) If chlorine or bromine is used to disinfect the water of any hot tub, the water shall have a disinfectant residual level of at least 2.0 ppm and not more than 5.0 ppm.

(C) Each means of disinfection other than those specified in paragraphs (d)(1)(A) and (B) shall be used only if the licensee has demonstrated that the alternate means provides a level of disinfection equivalent to that resulting from the residual level specified in paragraph (d)(1)(A) or (B).

(2) The pH of the water in each swimming pool, RWF, and hot tub shall be maintained at not less than 7.0 and not more than 8.0.

(3) Each licensee shall use a chemical test kit or a testing device approved by the regulatory authority. Each testing kit or device shall be appropriate for the disinfecting chemical used and capable of accurately measuring disinfectant residual levels of 0.5 ppm to 20.0 ppm. In addition, a chemical test kit or testing device for measuring the pH of the water shall be used and capable of accurately measuring the pH of water in 0.2 increments.

(4) The water in each swimming pool, RWF, and hot tub shall have sufficient clarity at all times so that one of the following conditions is met:

(A) A black disc with a diameter of six inches is clearly visible in the deepest portion of the swimming pool or RWF.

(B) The bottom drain at the deepest point of the swimming pool or RWF is clearly visible, and the bottom of the hot tub is clearly visible.

(5) The water in each swimming pool, RWF, and hot tub shall be free of scum and floating debris. The bottom and walls shall be free of dirt, algae, and any other foreign material.

(6) No chemical shall be added manually and directly to the water of any swimming pool, RWF, or hot tub while any individual is present in the water.

(7) The temperature of the water in each hot tub shall not exceed 104 degrees Fahrenheit.

(A) Each hot tub shall be operated in accordance with the manufacturer's specifications.

(B) Each hot tub shall have a thermometer or other device to accurately record the water temperature within plus or minus two degrees.

(e) Fecal accident in a swimming pool and RWF. If a fecal accident occurs in a swimming pool or RWF, the following requirements shall be met:

(1) In response to any accident involving formed feces, the following requirements shall be met:

(A) Direct the guests to leave the swimming pool or the RWF, and do not allow any individuals to reenter until the decontamination process has been completed. The closure times can vary since the decontamination process takes from 30 to 60 minutes;

(B) remove as much fecal material as possible using a net or scoop, and dispose of the material in a sanitary manner. Sanitize the net or scoop;

(C) raise the disinfectant level to 2.0 ppm and ensure that the water pH is between 7.2 and 7.8; and

(D) return the disinfectant level to the operating range specified in paragraph (d)(1)(A) before the swimming pool or RWF is reopened to guests.

(2) In response to any accident involving diarrhea, the following requirements shall be met:

(A) Direct guests to leave the swimming pool or the RWF, and do not allow any individuals to reenter until the decontamination process has been completed;

(B) remove as much fecal material as possible using a scoop, and dispose of the material in a sanitary manner. Sanitize the scoop. Vacuuming the fecal material shall be prohibited;

(continued)

(C) raise the disinfectant level to 20.0 ppm and maintain a water pH of at least 7.2 but not more than 7.8. This level of concentration shall be maintained at least eight hours to ensure inactivation of *Cryptosporidium*. A lower disinfectant level and a longer inactivation time may be used according to the following table:

Cryptosporidium inactivation for diarrheal accident

Disinfectant levels (ppm)	Disinfection time
1.0	6.5 days
10.0	16 hours
20.0	8 hours

(D) ensure that the filtration system is operating and maintaining the required disinfectant levels during the disinfection process. Backwash the filter. Do not return the backwashed water through the filter. Replace the filter medium, if necessary; and

(E) return the disinfectant level to the operating range specified in paragraph (d)(1)(A) before the swimming pool or RWF is reopened to guests.

(f) Vomiting accident in a swimming pool or RWF. If a vomiting accident occurs in a swimming pool or RWF, the procedures in paragraph (e)(1) shall be followed.

(g) Body fluid spills at a swimming pool or RWF. All body fluid spills that occur on swimming pool or RWF equipment or hard surfaces, including decking, shall be cleaned and chemically sanitized. Disposable gloves shall be available for employees' use during cleanup. The following cleanup method shall be used:

(1) Wipe up the spill using absorbent, disposable material. Paper towels may be used;

(2) use a bleach solution by combining one part bleach and 10 parts water. Pour the bleach solution onto the contaminated surface, leave the solution on the surface for at least 10 minutes, and rinse the surface with clean water;

(3) disinfect all nondisposable cleaning materials, including mops and scrub brushes, and allow to air-dry; and

(4) require each employee assisting with the cleanup to wash that employee's hands with warm water and soap after the cleanup is completed.

(h) Fecal or vomiting accident in a hot tub. If a fecal accident or vomiting occurs in a hot tub, all of the following requirements shall be met:

(1) All guests shall be required to leave the hot tub, and the water shall be completely drained.

(2) The hot tub shall be disinfected according to the manufacturer's specifications.

(3) The filtering system shall be disinfected or the filter medium shall be replaced with a clean filter medium before refilling the hot tub with clean water.

(i) Operation and maintenance of a swimming pool, RWF, or hot tub. Each licensee shall ensure that all of the following requirements for each swimming pool, RWF, and hot tub are met:

(1) Daily operational logs shall be maintained for at least one year at the lodging establishment and made available to the regulatory authority, upon request. These logs shall include the date and time the information was

collected and the name or initials of the person who collected the information. These logs shall also record the following information:

(A) The disinfectant residuals shall be recorded at least once daily when the swimming pool, RWF, or hot tub is available for guest use or more often, if necessary to maintain the water quality as specified in subsection (d).

(B) The pH test shall be recorded at least once daily when the swimming pool, RWF, or hot tub is available for guest use or more often, if necessary to maintain the water quality as specified in subsection (d).

(C) The temperature reading of each hot tub shall be recorded at least once daily when the hot tub is available for guest use.

(2) Each fecal and vomiting accident log shall include the time and date of the accident and the disinfection measures taken.

(3) Each indoor swimming pool area and chemical storage room shall be either vented directly to the exterior or vented to a room that is vented directly to the exterior.

(4) All chemicals applied to a swimming pool, RWF, or hot tub shall be used, handled, stored, and labeled in accordance with the manufacturer's specifications.

(5) All recreational equipment shall be kept sanitary. Recreational equipment shall include slides, diving boards, play equipment, water sports equipment, and accessory items available to guests, including floats, tubes, air mattresses, and pads for water slides.

(6) A cleaning system shall be used to remove dirt, algae, and any other foreign material from the bottom of the swimming pool or RWF.

(7) All surface skimmers, strainer baskets, and perimeter overflow systems shall be kept clean and in good repair.

(8) The water in each swimming pool and each RWF shall be maintained at the manufacturer's recommended level so that the water will flow into each skimmer and strainer.

(9) The recirculation system serving each swimming pool, RWF, and hot tub shall operate continuously or in accordance with the manufacturer's specifications. The filtration and recirculation systems shall be maintained in accordance with the manufacturer's specifications. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-85. Water supply systems. Each licensee shall ensure that all of the following requirements are met:

(a) Sufficient potable water to meet the needs of the lodging establishment shall be provided from a source constructed and operated pursuant to K.S.A. 65-161 et seq., and amendments thereto.

(b) No water supply system deemed unsafe by the regulatory authority shall be used as a potable water supply.

(c) (1) Each nonpublic water supply system shall be constructed, maintained, and operated as specified in K.S.A. 65-161 et seq., and amendments thereto.

(2) All water from a nonpublic water supply system shall meet the state drinking water quality standards specified in K.S.A. 65-161 et seq., and amendments thereto. The most recent sample report for the nonpublic

water supply system used by the lodging establishment shall be retained for at least 12 months at the lodging establishment and shall be made available to the regulatory authority upon request.

(d) During any period when a boil water order is in effect, including a precautionary boil water notice or advisory issued by the regulatory authority on a public or nonpublic water supply, the licensee shall meet the following requirements until the problem has been corrected:

(1) Notify each guest, verbally upon check-in and by written notice placed in each rented guest room, that the plumbed water is not potable and only potable water should be used for drinking and for brushing teeth;

(2) discard any ice that could have been made from or exposed to contaminated water; and

(3) obtain a temporary, alternate supply of potable water by using one of the following:

(A) A supply of commercially bottled drinking water;

(B) one or more closed, portable, bulk water containers;

(C) an enclosed vehicular water tank;

(D) an on-premises water storage tank; or

(E) any other alternative water source if approved by the regulatory authority. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-86. Sewage systems. Each licensee shall ensure that all of the following requirements are met:

(a) All sewage shall be disposed of through an approved facility, including one of the following:

(1) A public sewage treatment plant; or

(2) an individual sewage disposal system that is constructed, maintained, and operated according to K.S.A. 65-161 et seq., and amendments thereto, and meets all applicable sanitation requirements.

(b) A temporary sewage disposal facility shall be allowed only as approved by the regulatory authority in response to a disaster.

(c) All condensate drainage, rainwater, and other non-sewage liquids shall be drained from the point of discharge to disposal pursuant to K.S.A. 65-161 et seq., and amendments thereto. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-87. Electrical systems. (a) Each licensee shall ensure that the electrical wiring is installed and maintained in accordance with all applicable local electrical codes. In the absence of local electrical codes, the electrical wiring shall be installed and maintained by a licensed electrician. Each licensee shall ensure that all of the following requirements are met:

(1) (A) Each newly constructed lodging establishment shall have a ground-fault circuit interrupter in each electrical outlet located within five feet of any water source, including a swimming pool and hot tub.

(B) Each existing lodging establishment in which major renovation or rewiring has occurred shall be required to have a ground-fault circuit interrupter in each electrical outlet located within five feet of any water source, including a swimming pool and hot tub.

(C) Each licensee shall ensure that the lodging establishment has a ground-fault circuit interrupter in each

electrical outlet located within five feet of any water source, including a swimming pool and hot tub, on or before January 1, 2010.

(2) Each electrical switch and each outlet shall be covered by a faceplate. Each junction box shall have a junction box cover.

(3) All circuit breaker boxes, fuse boxes, and electrical panels shall be protected from physical damage and kept in good condition. All fuses and circuits shall be labeled to identify the circuit location.

The storage of any item that obstructs access to any circuit box shall be prohibited.

(4) All wire splices shall be located in covered junction boxes.

(5) Bare or frayed wiring shall be prohibited.

(6) All three-prong outlets shall be grounded. Each appliance shall be grounded in accordance with the manufacturer's specifications.

(b) All emergency lighting shall be kept in working condition.

(c)(1) The permanent use of extension cords in guest rooms shall be prohibited. Individual branch circuits, including multiple-plug outlet strips that contain fuse breakers and multiple-plug outlet adapters that do not to exceed the amperage for which the outlets are rated, shall be permitted.

(2) The licensee of each lodging establishment shall be required to meet the requirements of this subsection on or before January 1, 2010.

(d) The temporary use of extension cords shall be allowed for housekeeping and maintenance purposes if the extension cords are rated for industrial use.

(e) The wattage of light bulbs shall not exceed the wattage rating of the corresponding light fixtures.

Empty light sockets shall be prohibited. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-88. Plumbing systems. (a) Each licensee shall ensure that all plumbing is installed and maintained in accordance with all applicable local plumbing codes. In the absence of local plumbing codes, all plumbing shall be installed and maintained by a licensed plumber.

(b) Each licensee shall ensure that all of the following requirements are met:

(1) Potable water under pressure shall be available at all times at each fixture designed to provide water. Hot water shall be provided to each fixture designed to use hot water.

(2) Each toilet room, bathing facility, and laundry area shall be provided with ventilation to minimize condensation and to prevent mold, algae, and odors.

Each newly constructed lodging establishment and each lodging establishment undergoing major renovation shall be required to have mechanical ventilation in each toilet room, bathing facility, and laundry area.

(3) Each fixture drain shall be plumbed with a P-trap.

(4) All openings for the passage of plumbing shall be verminproof.

(5) No fitting, connection, device, or method of installation of plumbing shall obstruct or retard the flow of

(continued)

water, wastes, sewage, or air in the drainage or venting system.

(c) All backflow devices shall meet the design specifications for their intended use. All potable water supplies shall be protected from sources of potential contamination. Each licensee shall ensure that all of the following requirements are met:

(1) If provided, each boiler unit, fire sprinkler system with chemical additives, lawn sprinkler with a means for injection of pesticides, herbicides, or other chemicals, and pumped or repressurized cooling or heating system shall be protected by a reduced-pressure-principle backflow prevention assembly.

(A) The backflow prevention assembly shall be tested at least annually.

(B) Documentation of each test shall be maintained at the lodging establishment for at least one year and shall be made available to the regulatory authority upon request.

(2) If provided, each fire sprinkler system not using chemical additives and lawn sprinkler system without a means for injection of pesticides, herbicides, or other chemicals shall be protected by a double-check valve assembly.

(A) The double-check valve assembly shall be tested at least annually.

(B) Documentation of each test shall be maintained at the lodging establishment for at least one year and shall be made available to the regulatory authority upon request.

(3) If provided, each threaded faucet to which a hose is connected, flush valve, and any similar device shall be protected by a vacuum breaker. Each commercial dishwasher and each commercial laundry machine shall be protected by either a vacuum breaker or an air gap.

(4) If provided, each relief valve discharge line from a water heater, water-holding tank, cooling tower, or water softener, each discharge line from a commercial laundry machine, and each condensation line shall be protected by an air gap.

(5) Each swimming pool water supply line shall be protected by either an air gap or a double-check valve assembly.

(6) Fire sprinklers plumbed into a waterline over gas water heaters or furnaces, or both, shall not be required

to have a backflow device unless required by local ordinance. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

28-36-89. Heating, ventilation, and air-conditioning (HVAC) systems. (a) Each licensee shall ensure that each guest room has air-conditioning, heating, ventilation, and related HVAC equipment.

(1) All equipment shall be installed according to the manufacturer's directions and shall be kept in operating condition.

(2) A means to control the temperature in the guest room shall be provided in each guest room.

(b) Unvented fuel-fired heaters, unvented fireplaces, and similar devices and portable electrical space heaters shall be prohibited from use in all areas of the lodging establishment, unless designed by the manufacturer for commercial use and approved by the regulatory authority. The following conditions shall be met:

(1) The unvented fuel-fired heater, unvented fireplace, or similar device or the portable electrical space heater is not the primary source of heat.

(2) The unvented fuel-fired heater, unvented fireplace, or similar device or the portable electric space heater is not used in a guest room.

(c) All gas and electric heating equipment shall be equipped with thermostatic controls.

(d) All gas water heaters, gas furnaces, and other gas heating appliances shall be vented to the outside.

(e) A gas shutoff valve shall be located next to each gas appliance, gas furnace, and gas water heater.

(f) Each furnace and each air-conditioning unit shall be equipped with an electrical fuse breaker to protect the unit from electrical overload.

(g) Each furnace room or room containing a gas water heater or any other fuel-fired appliance shall be provided with adequate air for circulation.

(h) Each filter shall be changed according to the manufacturer's specifications. (Authorized by and implementing K.S.A. 36-506; effective, T-28-10-8-07, Oct. 8, 2007.)

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034995

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2006 Volumes of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-46	Amended	V. 25, p. 1831
1-2-77	Revoked	V. 25, p. 1832

1-3-5	New	V. 25, p. 1832
1-3-6	New	V. 25, p. 1832
1-5-8	Amended	V. 25, p. 1305
1-6-2	Amended	V. 25, p. 1306
1-6-22a	Amended	V. 25, p. 1306
1-9-7b	Amended	V. 25, p. 1307
1-9-18	Revoked	V. 25, p. 1832
1-9-25	Amended	V. 25, p. 1832
1-9-26	Amended	V. 25, p. 1833
1-64-1	New	V. 26, p. 1393

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-4-1	Amended	V. 26, p. 1045
3-4-2	Amended	V. 26, p. 1045
3-4-3	New	V. 25, p. 1447
3-4-4	Amended	V. 26, p. 1045
3-4-5	Amended	V. 26, p. 1045
3-4-6	Amended	V. 26, p. 1045
3-4-7	New	V. 25, p. 1447

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-7-213	Amended	V. 25, p. 1142
4-7-216	Revoked	V. 25, p. 1142
4-7-510	Amended	V. 25, p. 1142
4-7-530	Amended	V. 25, p. 1142
4-7-716	Amended	V. 25, p. 1142
4-7-717	Amended	V. 25, p. 1142
4-8-14a	Amended	V. 26, p. 489
4-8-27	Amended	V. 26, p. 489
4-8-28	Amended	V. 26, p. 489
4-8-29	Amended	V. 26, p. 489
4-8-30	Amended	V. 26, p. 489
4-8-31	Amended	V. 26, p. 489
4-8-33	Amended	V. 26, p. 489
4-8-34	Amended	V. 26, p. 489
4-8-35	Amended	V. 26, p. 489
4-8-39	Amended	V. 26, p. 490
4-8-42	Amended	V. 26, p. 490

100-54-7	Amended	V. 26, p. 1043
100-54-8	Amended	V. 26, p. 1044
100-73-1	Amended	V. 26, p. 1258
100-73-7	New	V. 25, p. 1601
100-73-8	New	V. 25, p. 1602
100-73-9	New	V. 26, p. 1044

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-5a	Amended	V. 25, p. 183
102-1-7	Revoked	V. 26, p. 881
102-1-12	Amended	V. 25, p. 184
102-1-12	Amended (T)	V. 26, p. 629
102-1-13	Amended (T)	V. 26, p. 1139
102-2-2a	Amended (T)	V. 25, p. 987, 1019
102-2-2a	Amended	V. 25, p. 1452
102-2-3	Amended (T)	V. 26, p. 1139
102-2-6	Amended	V. 25, p. 1453
102-2-10	Revoked	V. 26, p. 881
102-3-2	Amended (T)	V. 26, p. 1140
102-3-3a	Amended	V. 25, p. 1454
102-3-4a	Amended (T)	V. 25, p. 988, 1019
102-3-4a	Amended	V. 25, p. 1456
102-3-8a	Revoked	V. 26, p. 881
102-4-1a	Amended	V. 25, p. 1458
102-4-2	Amended (T)	V. 26, p. 1140
102-4-3a	Amended	V. 25, p. 1460
102-4-4a	Amended (T)	V. 25, p. 990, 1019
102-4-4a	Amended	V. 25, p. 1463
102-4-8a	Revoked	V. 26, p. 881
102-5-2	Amended (T)	V. 26, p. 1140
102-5-3	Amended	V. 25, p. 1464
102-5-4a	Amended (T)	V. 25, p. 992, 1019
102-5-4a	Amended	V. 25, p. 1466
102-5-5	Amended	V. 25, p. 187
102-5-8	Revoked	V. 26, p. 881
102-6-8	Amended	V. 26, p. 881

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-4-1	Amended	V. 25, p. 101
105-5-2	Amended (T)	V. 25, p. 982, 1019
105-5-2	Amended	V. 25, p. 1530
105-5-3	Amended (T)	V. 25, p. 982, 1019
105-5-3	Amended	V. 25, p. 1530
105-5-6	Amended (T)	V. 25, p. 982, 1019
105-5-6	Amended	V. 25, p. 1530
105-5-7	Amended (T)	V. 25, p. 983, 1019
105-5-7	Amended	V. 25, p. 1531
105-5-8	Amended (T)	V. 25, p. 983, 1019
105-5-8	Amended	V. 25, p. 1531
105-11-1	Amended	V. 25, p. 1531
105-11-1	Amended (T)	V. 26, p. 1257

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-4	Amended	V. 25, p. 180

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-8-1	Amended (T)	V. 26, p. 12

AGENCY 110: DEPARTMENT OF COMMERCE

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110-9-1		
through 110-9-8	New	V. 25, p. 373-375
110-13-4	Amended	V. 25, p. 447
110-14-1	New	V. 25, p. 1771
110-14-2	New	V. 25, p. 1771
110-15-1	New (T)	V. 26, p. 1649
110-15-2	New (T)	V. 26, p. 1650
110-15-3	New (T)	V. 26, p. 1650
110-15-4	New (T)	V. 26, p. 1650
110-16-1	New (T)	V. 26, p. 1650
110-16-2	New (T)	V. 26, p. 1651
110-16-3	New (T)	V. 26, p. 1651
110-16-4	New (T)	V. 26, p. 1651
110-17-1	New (T)	V. 26, p. 1652
110-17-2	New (T)	V. 26, p. 1652
110-17-3	New (T)	V. 26, p. 1652
110-17-4	New (T)	V. 26, p. 1652
110-18-1	New (T)	V. 26, p. 1653
110-18-2	New (T)	V. 26, p. 1653

110-18-3	New (T)	V. 26, p. 1653
110-18-4	New (T)	V. 26, p. 1654

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed by the Kansas Lottery from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. The following regulations were filed after January 1, 2006:

Reg. No.	Action	Register
111-2-30	Amended	V. 25, p. 414
111-2-187	New	V. 25, p. 381
111-2-188	New	V. 25, p. 1363
111-2-189	New	V. 25, p. 1411
111-2-190	New	V. 25, p. 1694
111-2-191		
through 111-2-196	New	V. 26, p. 129, 130
111-2-194	Amended	V. 26, p. 173
111-2-197	New	V. 26, p. 173
111-2-198	New	V. 26, p. 174
111-2-199		
through 111-2-204	New	V. 26, p. 202, 203
111-2-204	Amended	V. 26, p. 565
111-2-205	New	V. 26, p. 565
111-2-206	New	V. 26, p. 631
111-2-207	New	V. 26, p. 631
111-2-208	New	V. 26, p. 1394
111-2-209	New	V. 26, p. 1394
111-2-210	New	V. 26, p. 1515
111-4-2342		
through 111-4-2349	New	V. 25, p. 217-221
111-4-2350		
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through 111-4-2387	New	V. 25, p. 381-384
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through 111-4-2393	New	V. 25, p. 385, 386
111-4-2394		
through 111-4-2404	New	V. 25, p. 415-422
111-4-2405		
through 111-4-2418	New	V. 25, p. 787-795
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through 111-4-2427	New	V. 25, p. 868-874
111-4-2420	Amended	V. 25, p. 1019
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through 111-4-2434	New	V. 25, p. 1020-1025
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AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 25, p. 1602
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115-2-3a	Amended	V. 26, p. 1109
115-2-4	Amended	V. 25, p. 336
115-4-4	Amended	V. 26, p. 410

115-4-4a	Amended	V. 26, p. 411
115-4-6	Amended	V. 25, p. 336
115-4-13	Amended	V. 26, p. 1111
115-7-1	Amended	V. 25, p. 1605
115-7-4	Amended	V. 25, p. 1606
115-7-8	New	V. 25, p. 1606
115-8-7	Amended	V. 26, p. 1364
115-9-9	Amended	V. 26, p. 641
115-16-5	Amended	V. 25, p. 1607
115-18-10	Amended	V. 26, p. 101
115-18-12	Amended	V. 25, p. 1608
115-18-18	New	V. 25, p. 1608
115-18-19	New	V. 25, p. 1608
115-18-20	New	V. 25, p. 1609
115-20-5	New	V. 25, p. 1609
115-20-6	New	V. 25, p. 1611
115-30-1	Amended	V. 26, p. 1364
115-30-5	Amended	V. 26, p. 1365
115-30-7	Amended	V. 26, p. 1365
115-30-8	Amended	V. 26, p. 1365
115-30-10	Amended	V. 26, p. 1366
115-30-12	New	V. 26, p. 1366

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 26, p. 1259
117-2-1	Amended	V. 26, p. 1259
117-2-2	Amended	V. 26, p. 1260

117-2-3	Amended	V. 26, p. 1261
117-2-4	Amended	V. 26, p. 1261
117-3-1	Amended	V. 26, p. 1262
117-3-2	Amended	V. 26, p. 1265
117-3-2a	Amended	V. 26, p. 564
117-3-4	Amended	V. 26, p. 1264
117-4-1	Amended	V. 26, p. 1264
117-4-2	Amended	V. 26, p. 1265
117-4-2a	Amended	V. 26, p. 564
117-4-3	Amended	V. 26, p. 1266
117-4-4	Amended	V. 26, p. 1266
117-5-1	Amended	V. 25, p. 1148
117-6-1	Amended	V. 26, p. 1266
117-6-2	Amended	V. 26, p. 1267
117-8-1	Amended	V. 25, p. 866

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-4-4	Amended	V. 26, p. 46

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-5-1	Amended (T)	V. 25, p. 1304
121-5-1	Amended	V. 25, p. 1727
121-5-2	Revoked (T)	V. 25, p. 1304
121-5-2	Revoked	V. 25, p. 1727
121-5-3	New (T)	V. 25, p. 1304
121-5-3	New	V. 25, p. 1727

121-7-1	New	V. 25, p. 1728
121-8-1	New (T)	V. 25, p. 1304
121-8-1	New	V. 25, p. 1728

AGENCY 123: JUVENILE JUSTICE AUTHORITY

Reg. No.	Action	Register
123-6-101		
through		
123-6-106	New	V. 25, p. 1634, 1635

AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

Reg. No.	Action	Register
129-5-1	Amended	V. 26, p. 1579
129-5-65	New	V. 26, p. 1091
129-5-88	New	V. 25, p. 1830
129-5-108	New	V. 25, p. 1571
129-5-118	New	V. 25, p. 665
129-5-118b	New	V. 25, p. 665
129-6-38	New	V. 25, p. 1030
129-6-77	New	V. 25, p. 847
129-6-151	New	V. 25, p. 848
129-6-152	New	V. 25, p. 848
129-7-65	New	V. 25, p. 848
129-14-22	New	V. 25, p. 1030
129-14-27	New	V. 25, p. 849
129-14-51	New	V. 25, p. 849
129-14-52	New	V. 25, p. 849

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