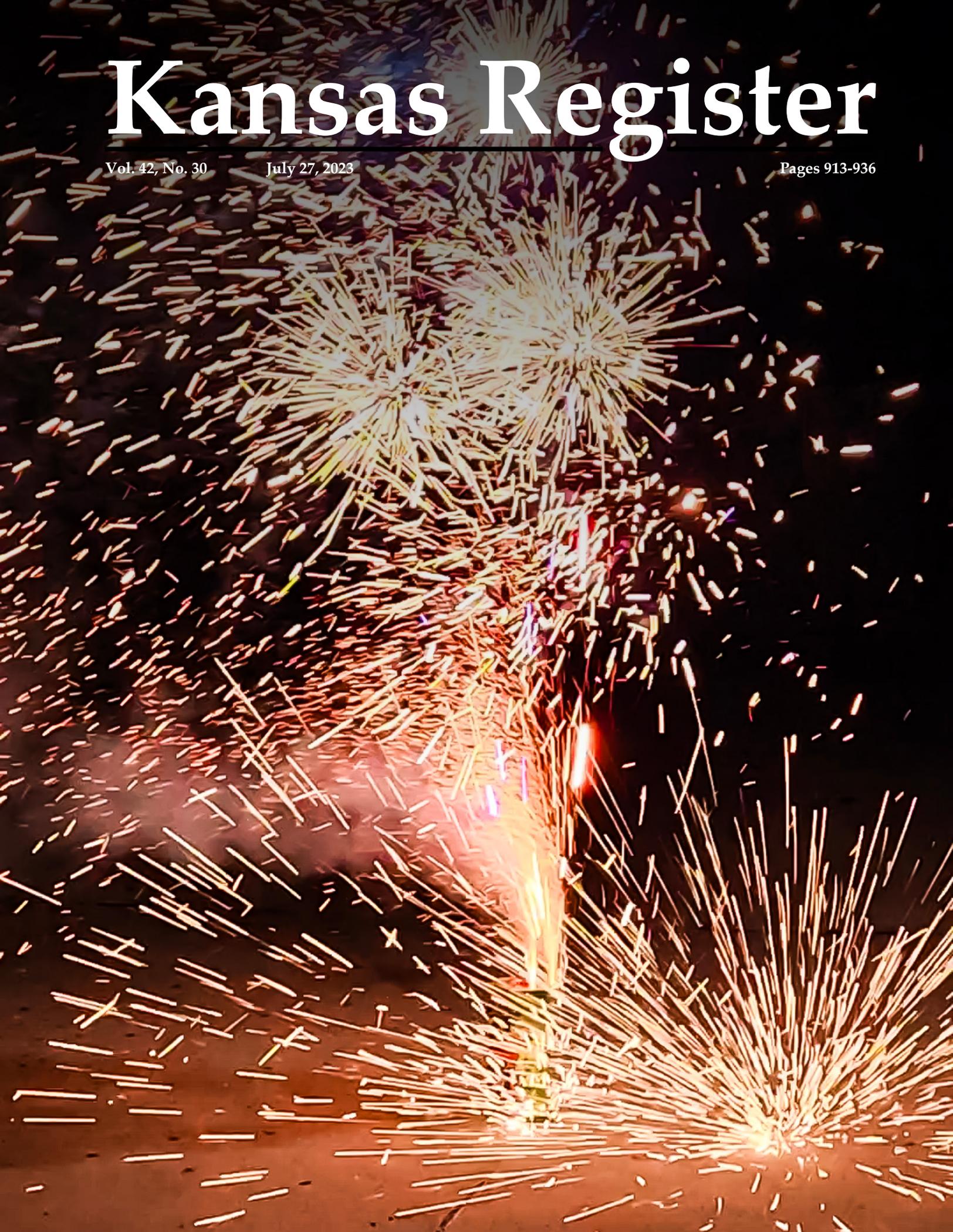


Kansas Register

Vol. 42, No. 30

July 27, 2023

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The Kansas Register is an official publication of the state of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly and a cumulative index is published annually by the Kansas Secretary of State.

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 Photo by Todd Caywood

State of Kansas

Legislative Administrative Services

Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet on the dates listed below based on current information and subject to change. 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 711, or email legserv@las.ks.gov.

Date	Room	Time	Committee	Agenda
July 31	582-N	10:00 a.m.	Joint Committee on Information Technology	Presentations and updates on: IT projects from the Judicial, Legislative and Executive branches; Cybersecurity tools; and state agency IT audits and IT Security Audits (Closed Session)
Aug. 2	112-N	9:00 a.m.	Robert G. Bethell Joint Committee on Home and Community Based Services/KANCARE Oversight	Presentations on: transformative impacts of aging; accreditation processes (Wamego Hospital Geriatric and Corterra Healthcare Geriatric Psychiatric Hospital); Alzheimer’s in Kansas (University of Kansas Alzheimer’s Disease Research Center). Health care workforce presentations (Kansas Department of Labor, Kansas Department of Health and Environment, the Council of State Governments, and AARP Kansas)
Aug. 3	112-N	9:00 a.m.	Robert G. Bethell Joint Committee on Home and Community Based Services/KANCARE Oversight	Presentations by KanCare Ombudsman and the Office of Medicaid Inspector General; updates from Kansas Department for Aging and Disability Services, Kansas Department of Health and Environment, and Managed Care Organizations (MCOs); and responses on unresolved issues from state agencies and MCOs.
Aug. 7	112-N	9:00 a.m.	Special Committee on Intellectual Developmental Disability Waiver	Presentations from KDADS on I/DD waiver rates and ongoing projects, stakeholder testimony, and committee discussion and deliberation.
Aug. 8	112-N	9:00 a.m.	Special Committee on Intellectual Developmental Disability Waiver	Presentations from KDADS on I/DD waiver rates and ongoing projects, stakeholder testimony, and committee discussion and deliberation.

Tom Day
Director

Legislative Administrative Services

Doc. No. 051355

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) and K.S.A. 12-1675a(g).

Effective 7-24-23 through 7-30-23

Term	Rate
1-89 days	5.08%
3 months	5.28%
6 months	5.32%
12 months	5.30%
18 months	5.06%
2 years	4.76%

Joel Oliver
Executive Director
Chief Investment Officer
Pooled Money Investment Board

Doc. No. 051341

State of Kansas

Kansas Governor’s Grants Program

Request for Comments

The Kansas Governor’s Grants Program has prepared the Federal Fiscal Year 2023 Federal Edward Byrne Memorial Justice Assistance Grant (JAG) Program application to be submitted to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, no later than August 30, 2023. The federal application is currently available for public comment. Comments must be submitted no later than August 18, 2023. The application can be accessed at https://grants.ks.gov/docs/librariesprovider22/byrne-jag-solicitation/draft-ffy2023-jag-application2f707de7-c574-487d-acfa-565eda6bd5f7.pdf?sfvrsn=48d87ca5_3. Please submit your comments by email to kggp@ks.gov or call 785-291-3205.

Julienne Maska
Administrator
Kansas Governor’s Grants Program

Doc. No. 051364

(Published in the Kansas Register July 27, 2023.)

Cimarron Valley Railroad

Request for Proposals

The Kansas Department of Transportation (KDOT) was awarded an \$11 million Federal Consolidated Rail Infrastructure and Safety Improvements Program (CRISI) grant in May 2022, in addition to this federal grant, KDOT has partnered financially with the Cimarron Valley Railroad (CVR), resulting in a project budget of \$14,991,971.

Interested Parties are invited to submit a proposal to complete the below scope of work for the Cimarron Valley Railroad (CVR) Southwest Kansas Infrastructure Upgrade Project.

The project will encompass the following project components on CVR infrastructure in southwest Kansas:

- Replacing 50,904 crossties:
 - 700 crossties per mile (Dodge City, Kansas to Satanta, Kansas – 62 miles).
 - 350 crossties per mile (Satanta, Kansas to Hugoton, Kansas – 23 miles).
- Performing 3,577 flash butt welds to rail (east of Ensign, Kansas to Sublette, Kansas – 13.2 miles).
- Relaying 3.7 miles of rail in curves (spread throughout seven curves from Satanta, Kansas to just west of Hugoton, Kansas).
- Applying new ballast to 67 miles of track (Dodge City, Kansas to Moscow, Kansas).
- Surfacing 85 miles of track (Dodge City, Kansas to Hugoton, Kansas).

Minimum Requirements

MSA and Roadway Worker Protection

Contractors must complete a Services Agreement with CVR Railroad before the project award.

- Contractors shall always comply with all parts of 49 CFR Part 214 and 219 regarding FRA Roadway Worker Safety. Men and equipment shall remain clear of the track unless they have gained Roadway Worker Protection from a qualified person.
- Contractors, contractor employees, agents, and/or subcontractors must be enrolled and comply with the FRA 219 approved drug testing program.
- Any subcontracted work will need to be approved by the CVR Railroad prior to any work starting.

Standards

All standards referenced by the project plans and specifications, as well as all applicable AREMA standards must be upheld during all phases of the project work, unless certain standards are excluded from the project with written approval by CVR. All rails shall be replaced at standard gauge of 56-1/2.”

Submittals

The following documents shall be submitted by the contractor as part of the project, at the times listed:

- Schedule of Work – Submitted with proposal.
- Certificate of Insurance – Submitted prior to construction.
- Safety Plan – Submitted prior to construction.

- Proof of Roadway Worker Training – Submitted prior to construction.
- All contractors must recognize this is a state/federal contract conforming to all flow down provisions.

Other Responsibilities

- Permits – Contractor is responsible for local, state, and federal permits required for the work.
- Utilities – Contractor is responsible to locate and protect site utilities.
- Site Clean-up – Contractor is responsible for proper site restoration and proper disposal of materials removed in accordance with all local, state, and federal laws.

Insurance

Contractors shall purchase required coverage and submit for verification a Certificate of Insurance.

Bid Package

- Interested parties may request a bid package by email at tc Cox@jag-transport.com
- Bid packages will only be provided through August 11, 2023, until close of business at 5:00 p.m.

Anthony Cox
SVP Engineering
Jaguar Transport Holdings

Doc. No. 051343

State of Kansas

Advisory Committee on Trauma

Notice of Meeting

The Advisory Committee on Trauma (ACT) will meet from 10:00 a.m. to 3:00 p.m. Wednesday, August 2, 2023, at the Kansas Soybean Association, 1000 SW Red Oaks Pl., Topeka, KS 66615. For individuals unable to attend in person, virtual attendance will be available through Zoom (Zoom account not required). Please contact Wendy O'Hare at Wendy.OHare@ks.gov for a meeting invitation and/or conference call-in information.

Janet Stanek
Secretary
Department of Health and Environment

Doc. No. 051363

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to 1.22 acres of real property located on the northwest corner of the intersection of Fountain Avenue and 21st Street North, directly adjacent to the Wichita State University campus. This location would be designated for private development committed to supporting broadband infrastructure and internet exchanges. The university is interested in leasing such ground to any individual, organization, or entity whose presence would advance

WSU’s vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. WSU intends to lease such space for a mutually agreeable period of time, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with WSU’s educational mission and identify anticipated benefits to the university, its students, and the surrounding community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, community benefit commitments, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU and the surrounding community, design concepts, financial stability, and proposed use. Interested tenants will be responsible for all costs associated with the development and ongoing maintenance costs of any improvements. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of the improvement, and benefit to WSU. WSU will consider serious offers and inquiries from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman
University Property Manager
Office of the Vice President for
Administration and Finance
Wichita State University

Doc. No. 051201

State of Kansas
Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres of real property located on the Wichita State University’s campus designated as the “Innovation Campus,” for the private development and operation of a partnership building or buildings. The university is interested in leasing such ground to any individual, organization, or entity whose presence on campus would advance the university’s applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such space for a mutually agreeable period of time up to sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university’s educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit

to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at john.tomblin@wichita.edu or Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman
University Property Manager
Office of the Vice President for
Administration and Finance
Wichita State University

Doc. No. 051304

State of Kansas
Department of Health and Environment
Division of Health Care Finance

Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan.

1. Pharmacists are recognized as providers under Kansas state law.
2. Pharmacy technicians and Pharmacy interns are authorized by the Kansas Legislature to administer vaccines.

The proposed effective date for the State Plan Amendment (SPA) is August 1, 2023.

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2023	\$0
FFY 2023	\$0

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact William C. Stelzner by email at william.stelzner@ks.gov, or by mail at:

William C. Stelzner
Kansas Department of Health and Environment
Division of Health Care Finance
900 SW Jackson, Room 900N
Topeka, KS 66612

The last day for public comment is August 28, 2023. Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

Sarah Fertig
State Medicaid Director
Division of Health Care Finance
Department of Health and Environment

Doc. No. 051348

State of Kansas

Department for Aging and Disability Services

Public Notice

In compliance with K.S.A. 59-2006b(a), the following per patient day costs for fiscal year 2024 will be the basic maximum daily rate of charge, effective July 1, 2023, for the following institutions:

Parsons State Hospital and Training Center	\$648
Kansas Neurological Institution	\$663

Laura Howard
Secretary

Department for Aging and Disability Services

Doc. No. 051346

State of Kansas

Department for Aging and Disability Services

Public Notice

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

Laura Howard
Secretary

Department for Aging and Disability Services

Doc. No. 051347

State of Kansas

Department of Administration
Office of Facilities and Property ManagementNotice of Updated Building
Design and Construction Manual

The Office of Facilities and Property Management has updated the 2023 Building Design and Construction Manual and it is posted on their website. The manual and the newsletter summarizing the changes may be found at <https://admin.ks.gov/offices/facilities-property-management/design-construction-compliance/building-design-and-construction-manual-bdcm>.

Frank Burnam
Director

Office of Facilities and Property Management
Department of Administration

Doc. No. 051356

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the Kansas Department of Transportation (KDOT) website at <https://kdotapp.ksdot.org/Proposal/>

[Proposal.aspx](#). The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject your bid. The Secretary reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2015 edition of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction.

KDOT will only accept electronic internet proposals using the Bid Express website at <https://bidx.com/ks/main> until 1:00 p.m. (Central Time) on letting day. The KDOT bid letting will be conducted remotely by audio broadcast only at 3:00 p.m. (Central Time) on letting day. For the conference call information see <https://www.ksdot.org/bureaus/burconsmain/lettinginfo.asp>. KDOT has tested the process, but in the event of an unforeseen issue, KDOT will provide updates.

Each bidder shall certify that such person, firm, association, or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid non-responsive and not eligible for award consideration.

District One – Northeast

Doniphan: 238-22 KA-7101-01 – K-238, from the US-36/K-238 junction north to the Kansas/Nebraska state line, milling and overlay, 1.4 miles. (State Funds)

Douglas: 10-23 KA-6977-01 – K-10, slopes at the intersection of Peach Orchard Road (1900 Road) and K-10, slide repair. (State Funds)

Jackson: 214-43 KA-7099-01 – K-214, from the US-75/K-214 south junction north to US-75/K-214 north junction, sealing, 2.0 miles. (State Funds)

Jefferson: 16-44 KA-7042-01 – K-16, from the US-59/K-16 south junction east to the west city limits of McLouth, milling and overlay, 5.6 miles. (Federal Funds)

Lyon: 35 56 KA-7142-01 – I-35, from 0.09 mile north of the I-35/KTA junction north to the I-35/US-50 east junction, pavement marking, 5.8 miles. (Federal Funds)

Nemaha: 36-66 KA-3880-01 – US-36, bridge #001 over the North Fork Black Vermillion River located 1.06 miles east of the Nemaha/Marshall County line, bridge replacement. (Federal Funds)

Riley: 18-81 KA-5469-01 – K-18, beginning at the K-18/K-177 west junction, east to 0.10 mile east of the K-18/K-177 east junction, pavement reconstruction, 0.7 mile. (Federal Funds)

Shawnee: 70-89 KA-7143-01 – I-70, from 1.6 miles east of the I-70/K-4 junction east to MacVicar; from 0.11

mile east of Adams Street east to 0.12 mile east of the I-470/I-70/US-40/K-4 junction, pavement marking, 8.2 miles. (Federal Funds)

Wyandotte: 105 N-0728-01 – 98th Street, in Edwardsville from Kansas Avenue to the north city limits, grading and surfacing, 1.0 mile. (Federal Funds)

District Two – North Central

Ellsworth: 156-27 KA-7103-01 – K-156, from the north city limits of Ellsworth northeast to I-70/K-156 junction, milling and overlay, 10.7 miles. (Federal Funds)

Lincoln: 53-C 5120-01 – Lincoln County, all paved major collectors, minor collectors and local roads, pavement marking, 25.7 miles. (Federal Funds)

McPherson: 135-59 KA-6752-01 – I-135, bridge #032 and bridge #033 over the KO Railroad located 0.76 mile north of US-56 (northbound and southbound), bridge repair. (State Funds)

District Three – Northwest

Ellis: 255-26 KA-7104-01 – K-255, from the beginning of route north to I-70/K-255 junction, milling and overlay, 1.2 miles. (State Funds)

Graham: 283-33 KA-7105-01 – US-283, from 2.7 miles north of the Graham/Trego County line north to the US-24/US-283 junction, sealing, 13.7 miles. (Federal Funds)

Phillips: 74-C 5130-01 – Phillips County, all major collectors, minor collectors and local roads west of US-183, signing, 156 miles. (Federal Funds)

Rawlins: 36-77 KA-5987-01 – US-36, in Atwood from 5th Street to 7th Street, grading and surfacing, 0.1 mile. (Federal Funds)

District Four – Southeast

Bourbon: 54-6 KA-6884-01 – US-54, light tower #1: 006L0002 located east of US-69 approximately 500 feet south of US-54; light tower #2: 006L0003 located west of US-69 approximately 750 feet north of US-54; light tower #3: 006L0001 located south of US-54 approximately 500 feet west of US-69, lighting, 0.5 mile. (State Funds)

Cherokee: 11 C-5153-01 – Bridge, 0.5 mile south and 0.8 mile east of Columbus over Brush Creek, bridge replacement, 0.1 mile. (Federal Funds)

Coffey: 75-16 KA-7090-01 – US-75, from the Woodson/Coffey County line north to the south edge wearing surface of bridge #056 over North Big Creek located north of the K-58 north junction, milling and overlay, 4.0 miles. (Federal Funds)

Coffey: 35-16 KA-6901-01 – I-35, bridge #013 over US-75 located 12.32 miles east of the Lyon County line, bridge repair. (State Funds)

Montgomery: 63 C-5128-01 – County Road 4700 (portions of RS 1673 and RS 507), from 126 feet south of CR 1450 to Coffeyville south city limit, grading and surfacing, 1.1 miles. (Federal Funds)

Wilson: 75-103 KA-7098-01 – US-75, from the east city limits of Neodesha north to the Wilson/Woodson County line, sealing, 23.9 miles. (State Funds)

Woodson: 75-104 KA-7089-01 – US-75, from the north city limits of Yates Center north to the Woodson/Coffey County line, milling and overlay, 10.5 miles. (Federal Funds)

Statewide: 106 TE-0402-07 – Flint Hills Trail, Iowa Road to Louisiana Terrace west of the city of Ottawa in Franklin County, special, 2.3 miles. (Federal Funds)

District Five – South Central

Butler: 8 KA-7044-01 – US-54, bridge #005 over White-water River located 0.7 mile east of Southwest River Valley Road; K-254, bridge #165 over Whitewater River located 0.7 mile east of Southwest River Valley Road, bridge repair. (State Funds)

Comanche: 17 C-5129-01 – Intersection of RS 711 and RS 963, intersection improvement, 1.0 mile. (Federal Funds)

Cowley: 166-18 KA-7092-01 – US-166, from the Sumner/Cowley County line east to the west city limits of Arkansas City, milling and overlay, 5.0 miles. (Federal Funds)

Harvey: 135-40 KA-6938-01 – Culvert #532 over Sand Creek drainage, culvert repair, 0.01 mile. (State Funds)

Kiowa: 54-49 KA-5783-01 – US-54, from 6.8 miles east of the US-54/US-183 junction east for 0.43 mile (westerly extension) and 8.4 miles east of the US-54/US-183 junction east for 0.76 mile (easterly extension), including widening of bridge #519, grading and surfacing, 1.2 miles. (Federal Funds)

Kiowa: 54-49 KA-5785 01 – US-54, from 1 mile east of the Ford/Kiowa county line east for 1.95 miles, grading and surfacing, 2.0 miles. (Federal Funds)

Pawnee: 19-73 KA-7093-01 – K-19 Spur, from the K-19/K-19 Spur junction north to the US-56/K-19 Spur junction; K-19, from the K-19/K-19 Spur junction east to the Pawnee/Stafford County line, milling and overlay, 10.6 miles. (Federal Funds)

Pratt: 54-76 KA-5784-01 – US-54, from 1.5 miles east of the Pratt/Kiowa county line east for 0.86 mile (westerly extension) and from 3.8 miles east of the Pratt/Kiowa county line east for 0.45 mile (easterly extension); including bridges #503 and #504, grading and surfacing, 1.3 miles. (Federal Funds)

Rice: 14-80 KA-7041-01 – K-14, from 0.26 mile north of Avenue U north to the south city limits of Lyons, milling and overlay, 7.1 miles. (Federal Funds)

Stafford: 19-93 KA-7094-01 – K-19, from the Pawnee/Stafford County line east to US-281/K-19 junction, milling and overlay, 9.0 miles. (Federal Funds)

Sumner: 166-96 KA-7091-01 – US-166, from mile marker 9 east to the Sumner/Cowley County line, milling and overlay, 5.0 miles. (Federal Funds)

District Six – Southwest

Finney: 156-28 KA-6440-01 – K-156, from 130 feet east of 3rd/4th Street east to 300 feet west of Belmont Place, grading and surfacing, 0.2 mile. (Federal Funds)

Meade: 54-60 KA-5782 01 – US-54, from 3.4 miles east of the east US-54/US-160 junction east for 2.7 miles, grading and surfacing, 2.7 miles. (Federal Funds)

Meade: 54-60 KA-5781-01 – US-54, from the Meade/Seward County line east for 1.8 miles, grading and surfacing, 1.8 miles. (Federal Funds)

Greg Schieber
State Transportation Engineer
Acting Secretary

Doc. No. 051342

State of Kansas

**Department of Administration
Office of Procurement and Contracts**

Notice to Bidders

Sealed bids for items listed will be received by the Office of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376.

All bids are to be submitted via email only to procurement@ks.gov. For more information, please visit https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL.

08/29/2023	EVT0009290	Janitorial Services Olathe DLEX
08/04/2023	EVT0009291	KDA Dairy Lab for Sample Testing
08/31/2023	EVT0009297	DCF – Janitorial Services
08/25/2023	EVT0009299	Janitorial Services KHP
08/22/2023	EVT0009303	First Aid, CPR and AED Training

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

https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL

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

<https://admin.ks.gov/offices/procurement-contracts/bidding--contracts/additional-bid-opportunities>

08/15/2023	A-014827	Intensive English Main Building and Annex Demolition
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Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Todd Herman
Director

Office of Procurement and Contracts
Department of Administration

Doc. No. 051361

State of Kansas

Department of Health and Environment

**Notice Concerning Proposed Kansas Air
Quality Prevention of Significant Deterioration
Construction Permit Modification**

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a revision to a previously issued air quality construction permit. Empire District Electric Company – Riverton Station applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to modify the PSD Construction Permit, CSD00010 v1.0, last modified on March 18, 2013, to allow for two annual tuning events using fuel oil in the simple cycle combustion turbine designated Unit 11 at their fossil fuel electric power generation facility located 7240 SE K-66 Hwy., Riverton, Cherokee County, KS 66750. Emission of particulate matter (PM), particulate matter equal to or less than 10 mi-

crons in aerodynamic diameter (PM₁₀), particulate matter equal to or less than 2.5 microns in aerodynamic diameter (PM_{2.5}), volatile organic compounds (VOCs), oxides of nitrogen (NO_x), sulfur oxides (SO_x), carbon monoxide (CO), and hazardous air pollutants (HAPs) were evaluated during the permit review process.

The permit modification is to be issued in accordance with the provisions of K.A.R. 28-19-350, *Prevention of Significant Deterioration* (PSD), which adopt the federal standards, procedures and requirements of 40 CFR 52.21 by reference. These air quality regulations apply to major stationary emission sources located in areas designated as “attainment” under the federal Clean Air Act (CAA). Attainment areas are areas where the air quality meets or is better than the national ambient air quality standards (NAAQS).

The revisions proposed by Empire District Electric Company – Riverton Station does not require reevaluation of the Best Available Control Technology (BACT). Less than significant increases will occur in emissions of all regulated new source review (NSR) pollutants as a result of the proposed revisions to the construction permit.

The PSD regulations require evaluation of emission reduction techniques to identify the BACT for each pollutant for which the emission rate exceeds the PSD significant level. The purpose of BACT is to affect the maximum degree of reduction achievable, taking into account energy, environmental, and economic impacts for each pollutant under review. Evaluation of the estimated emissions for the proposed tuning events indicates that the emission rate of oxides of nitrogen, sulfur dioxide, carbon monoxide, particulate matter, and volatile organic compounds do not exceed the significance levels. The department has reviewed the previous BACT analyses and determined that the existing BACT requirements for Unit 11 will remain valid with the allowance of the requested tuning events.

No assessment of visibility impacts at a Class I Area was performed by the facility because there are no Federal Class I areas located within 300 km of the proposed facility. The facility did not conduct a visibility impact analysis for a local Class I area because the proposed modification does not exceed the PSD significance level and is not expected to impact visibility.

A public comment period has been established to allow citizens the opportunity to express any concerns they may have about this proposed permitting action. The public comment period is to begin on Thursday, July 27, 2023, and end Monday, August 28, 2023. All comments should be submitted in writing to Matthew Reynolds, KDHE/Bureau of Air, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 or presented at the public hearing.

Any member of the public may request to hold a public hearing to receive comments on the proposed issuance of the draft air quality construction permit. Written request to hold a public hearing should be sent to the attention of Matthew Reynolds, KDHE/Bureau of Air, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 or by fax to 785-559-4256 and must be received by 12:00 p.m. Monday, August 28, 2023.

A copy of the proposed permit, permit application, all supporting documentation, and all information re-

lied upon during the permit application review process are available for public review for a period of 30 days from the date of publication during normal business hours (8:00 a.m. to 5:00 p.m.) at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. Also, a copy of the proposed permit only can be reviewed, at the Southeast District Office, 308 W. 14th St., Chanute, KS 66720. To obtain or review the proposed permit and supporting documentation, contact Matthew Reynolds, 785-296-1719, at the central office of the KDHE and to review the proposed permit only, contact Ryan Jack, 620-431-2390, in the Southeast District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051359

State of Kansas

Department of Health and Environment

**Notice Concerning Amendment to
Kansas Air Quality Construction Permit**

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding the amendment of a previously issued air quality construction permit. Excel Industries, 200 S. Ridge Rd., Hesston, KS 67062, owns and operates the stationary source located at 200 S. Ridge Rd., Hesston, Harvey County, KS 67062. Certain requirements in the construction permit dated August 7, 2020, were found no longer appropriate and the construction permit have been modified. The modified construction permit includes the update potential air emissions, the change of the facility type as true minor and permit existing emergency engine and two new paint booths.

A copy of the construction permit modification is available for public inspection, from the date of publication, during normal business hours, at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, and at the South Central District Office, 300 W. Douglas, Suite 700, Wichita, KS 67202. To obtain or review the construction permit modification, contact Matthew Reynolds, 785-296-1719, at the central office of the KDHE, and to review the proposed permit only, contact Joshua Webb, 316-337-6020, at the South Central District Office. The standard departmental cost will be assessed for any copies requested.

Please direct written comments or questions regarding the proposed construction permit modification to Matthew Reynolds, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than the 12:00 p.m. Monday, August 28, 2023.

A person may request a public hearing be held on the proposed construction permit modification. 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 Matthew Reynolds, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, August 28, 2023, in order for the Secretary of Health and Environment to consider the request.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051360

State of Kansas

Department of Health and Environment

Public Notice

The Kansas Department of Health and Environment (KDHE) has drafted a water quality certification per Section 401 of the Clean Water Act (CWA) requested by Holiday Sand and Gravel, for construction and operation of a facility in the flood plain of the Missouri River, Wyandotte County, Kansas. The development of an approximate 445-acre project site within the floodplain of the Missouri River. An approximate 300-acre pit would be excavated in five phases over a period of approximately 40 years. The work as proposed would permanently fill 18.08 acres of wetlands within the project site for the excavation of the dredging pit, sand processing plant, aggregate stockpiles, and related facilities. The work would also include the construction of a barge loading dock facility along the right descending bank of the river at approximate river mile 375.1.

The draft certification and additional information containing the link to the USACE Public Notice will be posted on the KDHE website at <https://www.kdhe.ks.gov/1095/Section-401-Water-Quality-Certification> on or before July 21, 2023. Persons wishing to comment on the referenced draft document must submit their comments in writing by email to the Kansas Department of Health and Environment at KDHE.NPS@ks.gov by August 22, 2023, if they wish to have their comments considered in the formulation of final determinations for 401 regarding this public notice.

For more information, contact Scott Satterthwaite, Watershed Management Section, Bureau of Environmental Field Services, KDHE at Scott.Satterthwaite@ks.gov.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051358

State of Kansas

Department of Health and Environment

**Notice Concerning Kansas/Federal Water
Pollution Control Permits and Applications**

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator
(continued)

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-23-223/233

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
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Seaboard Foods, LLC - Shore #1071 9080 S. Road F Johnson, KS 67855	NE/4 of Section 12 T30S, R40W Stanton County	Cimarron River Basin
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Kansas Permit No. A-CIST-H002
Federal Permit No. KS0091588

The proposed action is to reissue an existing NPDES permit for an existing facility for 3,320 head (1,328 animal units) of swine weighing more than 55 pounds and 4,500 head (450 animal units) of swine weighing 55 pounds or less; for a total permitted capacity of 7,820 head (1,778 animal units) of swine. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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Irsik & Doll Feed Yard 8220 E. US-50 Hwy. Garden City, KS 67846	W/2 of Section 19 and N/2 & SW/4 of Section 20 T24S, R31W Finney County	Upper Arkansas River Basin
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Kansas Permit No. A-UAFI-C004
Federal Permit No. KS0055069

The proposed action is to reissue an existing NPDES permit for an existing facility for 65,000 head (65,000 animal units) of cattle weighing greater than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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Moxley Ranch Tom Moxley 1852 S. 200 Rd Council Grove, KS 66846	SW/4 of Section 35 T16S, R09E Morris County	Neosho River Basin
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Kansas Permit No. A-NEMR-B009

The proposed action is to reissue an existing state permit for an existing facility for 999 head (999 animal units) of beef cattle weighing more than 700 pounds each. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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Roth Farms - Richter Unit 10975 Lasita Rd. Leonardville, KS 66449	SE/4 of Section 11 T08S, R04E Riley County	Lower Republican River Basin
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Kansas Permit No. A-LRRL-S001

The proposed action is to reissue an existing state permit for an existing facility for 676 head (270.4 animal units) of swine more than 55 pounds and 1000 head (100 animal units) of swine 55 pounds or less, for a total of 370.4 animal units of swine. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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Wendling Farm, LLC David Wendling 6713 S. Old Settlers Rd. Halstead, KS 67056	SE/4 of Section 16 T24S, R02W Harvey County	Little Arkansas River Basin
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Kansas Permit No. A-LAHV-B005

The proposed action is to reissue an existing state permit for an existing facility for 650 head (650 animal units) of cattle more than 700 pounds and 300 head (150 animal units) of cattle 700 pounds or less for a total of 800 animal units of cattle. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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Winchester Hog Building David Halling 150th Rd. Denton, KS 66017	NW/4 of Section 11 T04S, R19E Doniphan County	Missouri River Basin
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Kansas Permit No. A-MODP-S012

The proposed action is to reissue an existing state permit for an existing facility for 900 head (360 animal units) of swine more than 55 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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Zoltenko Farms, Inc. - South Stud James Zoltenko 2195 10 Rd. Courtland, KS 66939	NW/4 of Section 19 T01S, R05W Republic County	Lower Republican River Basin
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Kansas Permit No. A-LRRP-S025

The proposed action is to reissue an existing state permit for an existing facility for 720 head (288 animal units) of swine more than 55 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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Haverkamp Brothers, Inc. - Home Farm 2976 L4 Rd. Bern, KS 66408	SW/4 of Section 01 & NE/4 of Section 12 T01S, R12E Nemaha County	Missouri River Basin
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Kansas Permit No. A-MONM-H003
Federal Permit No. KS0101729

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 8,000 head (800 animal units) of swine weighing less than 55 pounds and 4,625 head (1,850 animal units) of swine weighing more than 55 pounds. The facility's NMP was updated to include changes in the application rate limitations for their fields. The application rate limitations for two fields have become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Steven Cox Associates, LLC 504 N. 1500 Rd. Long Island, KS 67647	NW/4 of Section 32 T01S, R20W Phillips County	Upper Republican River Basin
Kansas Permit No. A-URPL-H003 Federal Permit No. KS0115746		

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 4,358 head (1,743.2 animal units) of swine more than 55 pounds and 3,880 head (388 animal units) of swine weighing 55 pounds or less, for a total of 2,131.2 animal units of swine. The facility's NMP was updated to include changes in the application rate limitations for their fields. The application rate limitation for one field has become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Henry Creek Farms, Inc. 10636 NW 110th St. Whitewater, KS 67154	SW/4 of Section 06 T24S, R04E Butler County	Walnut River Basin
Kansas Permit No. A-WABU-H001 Federal Permit No. KS0089451		

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 3,602 head (1,440.8 animal units) of swine weighing more than 55 pounds and 2,430 head (243 animal units) of swine weighing 55 pounds or less and 500 head (250 animal units) of cattle weighing 700 pounds or less; for a total of 1933.8 animal units. The facility's NMP was updated to include less-limiting rate limitation change for one field. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Upland Pork 282 E-14 Almena, KS 67622	NE/4 of Section 01 T01S, R21W Norton County	Upper Republican River Basin
Kansas Permit No. A-URNT-H001 Federal Permit No. KS0088323		

The proposed action is to approve an update to the Nutrient Management Plan (NMP) received for this existing facility currently permitted for 6,888 head (2,755.2 animal units) of swine weighing more than 55 pounds and 8,800 head (880 animal units) of swine weighing 55 pounds or less; for a total of 15,688 head (3,635.2 animal units) of swine. The facility's NMP was updated to include changes in the application rate limitations for their fields. The application rate limitation for one field has become less restrictive than the previous NMP. There are no changes to the permit or in the permitted number of animal units. Only the updated portion of the Nutrient Management Plan is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No. KS-Q-23-147/150

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Green Acres Mobile Home Park 1753 CR E Emporia, KS 66801	Moon Creek via unnamed tributary	Treated Domestic Wastewater

Kansas Permit No. C-NE24-0003
Federal Permit No. KS0095729

Legal Description: SW¼, SE¼, NE¼, Section 10, Township 19S, Range 10E of Lyon County, Kansas

Facility Location: Latitude: 38.41299, Longitude: -96.28408

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of: two activated sludge package plants, UV disinfection of the effluent, and an effluent polishing pond. The south activated sludge package plant is not in current use as the north activated sludge package plant has adequate capacity for current use. The facility receives domestic wastewater from residential areas. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, Ammonia, E. coli, and Total Phosphorus; as well as monitoring for Nitrates + Nitrites, Total Kjeldahl Nitrogen, and Total Nitrogen.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Kaman Composites 1650 S. McComas St. Wichita, KS 67213	Arkansas River via Valley Center Floodway via Stormwater Sewer	Processed Wastewater

Kansas Permit No. I-AR94-CO66
Federal Permit No. KS0096652

Legal Description: NW ¼, Section 36, Township 27S, Range 1W of Sedgwick County, Kansas

Facility Location: Latitude: 37.66457, Longitude: -97.38526

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility fabricates aircraft and aerospace composite parts using low and high-pressure lamination, thermoplastic sheet forming, and metal/composite assemblies. On site well water, used for non-contact additive free cooling of autoclave #15 is discharged to the storm sewer. The average and maximum discharge flow rate of non-contact cooling water at Outfall 001A is 8,000 gallons per day (gpd). Wastewater generated in the autoclaves #5, #9, and #12, boiler blowdown, air compressor condensate and cooling water, domestic wastewater, and all other process wastewater is discharged to the city sanitary sewer. The proposed permit contains generic language to protect the waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Higgins Stone Company 407 Miller Dr. Wamego, KS 66547	Kansas River via Mission Creek via Massasoit Creek via Unnamed tributary	Processed Wastewater

Kansas Permit No. I-KS92-PO01
Federal Permit No. KS0095460

Legal Description: Section 17, Township 13S, Range 13E of Wabaunsee County, Kansas

Facility Location: Latitude: 38.92225, Longitude: -96.00054

(continued)

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is engaged in a limestone sawing and rock splitting operation. This facility has four saws, two of which produce water from rock fines that needs treatment. The Python sawing operation discharges water containing rock fines to a settling pond that does not discharge. However, spent water from the Eagle sawing operation containing rock fines is directed to a concrete basin and then to two sedimentation ponds in series, for treatment, before discharging to Pond D (Outfall 001A). Pond (A) is a large pond south of the stone yard that only provided clean water in case water is needed. Pond (B) receives the spent water from a concrete settling basin containing the fines from the rock sawing operation and is considered to be a settling pond. Treated water from Pond B is then directed to Pond (C), which is also a settling pond, which can overflow to Pond D. Pond (D) is the final settling pond that is used to supply clean water to the Eagle sawing operation. The Outfall from Pond D discharges very infrequently to an unnamed tributary. This unnamed tributary and Massasoit Creek is dry most of the year. The proposed permit contains limits for Total Suspended Solids, as well as generic language to protect the waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
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Wescon Plastics, LLC 2810 S. West St. Wichita, KS 67217	Arkansas River via Stormwater Ditch via Stormwater Sewer	Processed Wastewater
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Kansas Permit No. I-AR94-PO62
Federal Permit No. KS0000825

Legal Description: SW ¼, Section 1, Township 28S, Range 1W of Sedgwick County, Kansas

Facility Location: Latitude: 37.64365, Longitude: -97.38808

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility manufactures outdoor equipment and proprietary injection molded plastic items. This permit authorizes the discharge of non-contact cooling water from plastic mold chillers and air conditioning unit(s). Discharge of process wastewater, as defined under EPA's Effluent Guideline 40 CFR §463-Plastic Molding Point Source Category, is not authorized under this permit. Domestic waste is discharged into a sanitary sewer. This facility discharges about 360,000 gallons per day (gpd) of non-contact cooling water to the storm sewer. The source for non-contact cooling water is groundwater from two (2) wells located at the facility. Groundwater is treated with chemicals for iron reducing bacteria (Gallionella) prior to use in the chillers and A/C unit(s). Chemical treatment of groundwater includes the periodic addition of a phosphorus based sequestrant and sodium hypochlorite. The proposed permit contains limits for Total Residual Chlorine and pH, as well as monitoring for Flow, Temperature, Volatile Organic Compounds, and Total Phosphorus.

Public Notice No. KS-PT-23-012

The requirements of the draft permit public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.

Name and Address of Applicant	POTW Receiving Wastes	Type of Discharge
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CELCO 124 N. Lawrence Anthony, KS 67003	Anthony MWWTP	Processed Wastewater
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Kansas Permit No. P-AR04-OO01
Federal Permit No. KSP000102

Facility Address: 124 N. Lawrence, Anthony, KS 67003

Facility Location: Latitude: 37.15283, Longitude: -98.03801

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility performs electro-polishing and passivating on metal parts. Outfalls 001A consists of contaminated rinse water from these operations, which is treated by a chemical precipitation system, before being released to the city sanitary sewer. Outfall 002A consists of an aqueous cleaning operation, located in a separate building, south of Main Street. The proposed permit contains limits for pH, Total Toxic Organics, Cadmium, Chromium, Copper, Lead, Nickel, Silver, Zinc, and Cyanide.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before August 26, 2023, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-23-223/233, KS-Q-23-147/150, KS-PT-23-012) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues 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). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Casey Guccione, Section Chief, Livestock Waste Management Section at the KDHE Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Andrew Bowman at the KDHE Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Neal Niceswanger, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-6804 or email at Neal.Niceswanger@ks.gov. 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 at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051357

(Published in the Kansas Register July 27, 2023.)

City of Hutchinson, Kansas

**Summary Notice of Bond Sale
\$2,510,000*
General Obligation Bonds,
Series 2023-A**

**(General Obligation Bonds Payable
from Unlimited Ad Valorem Taxes)**

Bids

Subject to the Notice of Bond Sale dated on or about August 4, 2023 (the "Notice of Bond Sale"), bids will be received by the Director of Finance of the City of Hutchinson, Kansas (the "City"), on behalf of the governing body at the address set forth below, in the case of facsimile bids, at the fax number set forth below, or, in the case of electronic proposals, via PARITY Electronic Bid Submission System ("PARITY") until 10:00 a.m. (Central Time) August 14, 2023, for the purchase of \$2,510,000* principal amount of General Obligation Bonds, Series 2023-A (the "Bonds"). No bid of less than 100% of the par value of the Bonds, plus accrued interest to the date of delivery, will be considered. Bidders may be required to be qualified in a manner established by the City before submitting a bid.

Bond Details

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated September 12, 2023 (the "Dated Date"), and will become due on October 1 in the years as follows:

Maturity	Principal Amount*	Maturity	Principal Amount*
2025	\$80,000	2035	\$135,000
2026	90,000	2036	140,000
2027	90,000	2037	140,000
2028	100,000	2038	150,000
2029	100,000	2039	165,000
2030	100,000	2040	165,000
2031	120,000	2041	170,000
2032	120,000	2042	180,000
2033	130,000	2043	200,000
2034	135,000		

* Subject to change.

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 Bond Sale, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 2024. 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 Bond Sale.

Paying Agent and Bond Registrar

Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit

The bidder for the Bonds shall provide the City with a cashier's or certified check drawn on a bank located in

the United States of America or a wire transfer of same-day funds in accordance with the requirements set forth in the Notice of Bond Sale in the amount of \$50,200 for the Bonds (2% 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 September 12, 2023, 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 2022 is \$380,509,485. The total general obligation indebtedness of the City as of the date of the Bonds, including the Bonds, is \$55,438,000.

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(s) when the Bonds are delivered.

Additional Information

Additional information regarding the Bonds may be obtained from the Municipal Advisor, Piper Sandler & Co., Attn: Dustin Avey, 11635 Rosewood St., Leawood, KS 66211, phone 913-345-3375; from Angela Richard, the Director of Finance; or from Kutak Rock LLP, Bond Counsel, Attn: Tyler Ellsworth, Two Pershing Square, 2300 Main St., Suite 800, Kansas City, MO 64108-2416, phone 816-960-0090.

Dated July 19, 2023.

City of Hutchinson, Kansas
Angela Richard
Director of Finance
Hutchinson City Hall
125 E. Avenue B
Hutchinson, KS 67501
620-694-2784
Fax: 620-694-2673

Doc. No. 051349

(Published in the Kansas Register July 27, 2023.)

**Unified School District No. 309,
Reno County, Kansas
(Nickerson-South Hutchinson)**

**Summary Notice of Bond Sale
\$7,600,000
General Obligation Bonds, Series 2023**

**(General Obligation Bonds Payable
from Unlimited Ad Valorem Taxes)**

Bids

Subject to the Notice of Bond Sale dated July 10, 2023 (the "Notice"), facsimile and electronic bids will be received on behalf of the Clerk of Unified School Dis-
(continued)

tract No. 309, Reno County, Kansas (Nickerson-South Hutchinson) (the "Issuer") in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m. (Central Time) August 21, 2023, for the purchase of the above-referenced bonds (the "Bonds"). No bid of less than 103% 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 September 12, 2023, and will become due on September 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2024	\$690,000	2029	\$885,000
2025	725,000	2030	925,000
2026	765,000	2031	970,000
2027	800,000	2032	1,000,000
2028	840,000		

* Subject to change, see the Notice

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 March 1 and September 1 in each year, beginning on March 1, 2024.

Book-Entry-Only System

The Bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$152,000.

Delivery

The Issuer 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 September 12, 2023, 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 2022 is \$97,063,075. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$7,600,000.

Approval of Bonds

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

Additional Information

Additional information regarding the Bonds may be obtained from the undersigned or from the Financial Advisor at the addresses set forth below:

Issuer

Unified School District 309
 District Office
 Attn: Laura Barb, Clerk
 4501 W. 4th Ave.
 South Hutchinson, KS 67501
 620-663-7141
 Fax: 620-663-7148
lbarb@usd309ks.org

Financial Advisor

Piper Sandler & Co.
 Attn: Dustin Avey
 11635 Rosewood St.
 Leawood, KS 66211
 913-345-3375
 Fax: 913-345-3393
dustin.avey@psc.com

Dated July 10, 2023.

Laura Barb
 Clerk
 Unified School District No. 309

Doc. No. 051354

State of Kansas

Department of Health and Environment

Notice of Budget Hearing on Proposed Administrative Regulations

Pursuant to K.S.A. 77-420, the Kansas Department of Health and Environment, Bureau of Facilities and Licensing, will conduct a budget hearing at 10:00 a.m. Thursday, August 17, 2023, in the Azure Conference Room, fourth floor, Curtis State Office Building, 1000 SW Jackson, Topeka, Kansas, to receive public comment concerning the implementation and compliance costs of proposed new temporary and permanent regulations K.A.R. 28-34-145, 28-34-146, 28-34-147, 28-34-148, 28-34-149, 28-34-150, and 28-34-151, and 28-34-152, regarding rural emergency hospitals.

The time period between the publication of this notice and the scheduled hearing constitutes the public comment period for the purpose of receiving written public comments on the implementation and compliance costs of the proposed regulations. All interested parties may submit written comments prior to 5:00 p.m. on the day of the budget hearing to Gerald Smith, Director, Bureau of Facilities and Licensing, Kansas Department of Health and Environment, 1000 SW Jackson, Suite 330, Topeka, KS 66612 or by email to Gerald.Smith@ks.gov. Interested parties are encouraged to participate in the budget hearing by submitting written comments.

During the hearing, all interested parties will be given a reasonable opportunity to present their comments orally regarding the implementation and compliance costs of the proposed regulations as well as an opportunity to submit their written comments. It is requested that each

party giving oral comments also provide a written copy of the comments for the record.

In order to give each party an opportunity to present their views, it may be necessary for the hearing officer to request that each presenter limit an oral presentation to an appropriate time frame.

Complete copies of the proposed temporary and permanent regulations and the corresponding economic impact statements may be obtained from the Bureau of Facilities and Licensing website at <https://www.kdhe.ks.gov/449/Facilities-Licensing> or by contacting Gerald Smith at 785-296-5616 or Gerald.Smith@ks.gov.

Any individual may request accommodation in order to participate in the public hearing and may request the proposed regulations and the economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Gerald Smith at the contact information above.

Declaración española

El aviso anterior se refiere al período de comentarios públicos y el calendario de audiencias públicas para el reglamento de hospitales rural de emergencia. Si desean obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación de KDHE al 785-296-5156 o en [KDHE. NonDiscrimination@ks.gov](mailto:NonDiscrimination@ks.gov).

English statement

The above notice refers to the public comment period and public hearing schedule for the regulation of rural emergency hospitals. If you would like more information in Spanish or have other questions, please contact the KDHE Non-Discrimination Coordinator at 785-296-5156 or at KDHE.NonDiscrimination@ks.gov.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051350

State of Kansas

Board of Emergency Medical Services

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10:00 a.m. Thursday, October 5, 2023, in Room 509, Landon State Office Building, 900 SW Jackson, Topeka, Kansas, to consider the revocation of and adoption of proposed administrative regulations of the Board of Emergency Medical Services on a permanent basis. The hearing will also be held via GoToMeeting conferencing. Remote access information will be provided upon request to any person wishing to observe, participate in, or listen to the hearing. Request for access must be submitted by 4:30 p.m. Friday, September 29, 2023, via email to joseph.house@ks.gov.

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 amendments to the regulations. All interested parties

may submit written comments prior to the hearing to the Board of Emergency Medical Services, Landon State Office Building, Room 1031, 900 SW Jackson, Topeka, KS 66612 or by email to joseph.house@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed revocations and amendments to the regulations during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentations to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulations and 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 Suzette Smith at 785-296-7296 (or TTY 1-800-766-3777). Handicapped parking is located in front of and to the north of the Landon State Office Building.

The following group of regulations are being amended or revoked to eliminate reference of instructor-coordinator, an occupational license eliminated as a result of the successful passage of HB 2014 during the 2023 Kansas Legislative session and that went into effect on July 1, 2023. Unless noted, the proposed revisions simply remove the references to this occupational license.

K.A.R. 109-1-1, Definitions.

K.A.R. 109-5-1, Continuing education.

K.A.R. 109-6-2, Renewal of EMS provider and instructor-coordinator certificates.

K.A.R. 109-7-1, Schedule of fees.

K.A.R. 109-8-1, Examination.

K.A.R. 109-10-4, Student transfers – revisions change responsibility from instructor-coordinator to the listed primary instructor for the course.

K.A.R. 109-11-8, Successful completion of a course of instruction.

K.A.R. 109-16-1, Graduated sanctions.

The Board is proposing the revocation of the following regulations in their entirety:

K.A.R. 109-5-1e, Instructor-coordinator (I-C) continuing education.

K.A.R. 109-9-1, Instructor-coordinator certification.

K.A.R. 109-9-4, Requirements for acceptance into an instructor-coordinator initial course of instruction.

K.A.R. 109-10-1e, Approved instructor-coordinator standards.

K.A.R. 109-11-7, Instructor-coordinator course approval.

There is no anticipated economic impact to any governmental agency or unit or to the general public in the adoption of these amended regulations or from the proposed revocations. It is anticipated that there will be a reduction in revenue to the Emergency Medical Services Board of less than \$3,000 annually.

(continued)

Copies of the complete regulations and the complete economic impact statement may be obtained from the Board of Emergency Medical Services at the contact information above or can be accessed at <http://www.ksbems.org>.

Joseph House
Executive Director
Board of Emergency Medical Services

Doc. No. 051351

State of Kansas

Board of Pharmacy

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 8:30 a.m. Thursday, September 28, 2023, at the Office of Administrative Hearings, 1020 S. Kansas Ave., Topeka, Kansas, to review and consider the adoption of proposed permanent regulations of the Kansas State Board of Pharmacy.

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 regulations. All interested parties may submit written comments prior to the public hearing to Alexandra Blasi, Executive Secretary, 800 SW Jackson, Suite 1414, Topeka, KS 66612-1244, or by email to pharmacy@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the public hearing should be made at least 10 business days in advance of the hearing by contacting Alexandra Blasi, Executive Secretary, 800 SW Jackson, Suite 1414, Topeka, KS 66612-1244 or by phone at 785-296-4056. Handicapped parking is located at the north entrance to the building. Curbs at the north entrance are accessible to individuals with disabilities.

Summaries of the proposed regulations and their economic impact follow. Copies of the regulations and economic impact statements may be viewed at <https://pharmacy.ks.gov/statutes-regs/proposed-changes>. (Note: Statements indicating that “The Board anticipates that the proposed new regulation/revocation will have minor to no economic impact” are intended to indicate that no economic impact on the Board, other state agencies, state employees, or the general public have been identified.)

K.A.R. 68-2-24. Pharmacy owner responsibilities. The proposed new regulation is designed to simplify and condense a pharmacy owner’s responsibilities. Responsibilities include ensuring that a pharmacy is operated in compliance with the Kansas pharmacy act and other statutory requirements, that a pharmacy owner does not prevent a pharmacist from doing the same, ensuring that a pharma-

cist has the discretion to conduct an in-person inspection of a drug or device, and prohibiting any individual who has had a license or registration denied, revoked, or suspended by the Board from entering a pharmacy (e.g., clerk or cashier). The Board anticipates that the proposed new regulation will have minor to no economic impact.

K.A.R. 68-7-26. Remote practice of pharmacy. The proposed new regulation codifies allowances made during the public health emergency which authorized pharmacy personnel to work remotely pursuant to requirements and circumstances outlined in the regulation, and expands the definition of direct supervision by a pharmacist to include remote work settings. The new regulation does not require a pharmacy to employ remote workers or allow remote work, but offers the opportunity for pharmacies to engage pharmacy personnel in this manner. The Board anticipates that the proposed new regulation will have minor to no economic impact.

K.A.R. 68-20-23. Revoked. The proposed revoked regulation classified N-Benzylpiperazine (BZP), including its salts, isomers, and salts of isomers, as a schedule I controlled substance pursuant to K.S.A. 65-4102. Subsequently, K.S.A. 65-4105 was amended to include the aforementioned substance and K.A.R. 68-20-23 is no longer necessary. The Board anticipates that the proposed revocation will have no economic impact.

K.A.R. 68-20-31. Revoked. The proposed revoked regulation classified 2,5-dimethoxy-4-methyl-n-(2-methoxybenzyl)phenethylamine, including its salts, isomers, and salts of isomers, as a schedule I controlled substance pursuant to K.S.A. 65-4102. The aforementioned substance was never permanently classified as a Schedule I controlled substance pursuant to K.S.A. 65-4105. Therefore, K.A.R. 68-20-31 is being formally revoked. The Board anticipates that the proposed revocation will have no economic impact.

Alexandra Blasi
Executive Secretary
Board of Pharmacy

Doc. No. 051344

State of Kansas

Board of Pharmacy

Temporary Administrative Regulation

Article 20.—CONTROLLED SUBSTANCES

68-20-32. 8-bromo-6-(2-fluorophenyl)-1-methyl-4H-benzo[f][1,2,4]triazolo[4,3-a][1,4]diazepine included in schedule I. 8-bromo-6-(2-fluorophenyl)-1-methyl-4H-benzo[f][1,2,4]triazolo[4,3-a][1,4]diazepine (other name: flubromazolam), including its salts, isomers, and salts of isomers, shall be classified as a schedule I controlled substance. (Authorized by and implementing K.S.A. 65-4102; effective, T-68-7-17-23, July 17, 2023.)

Alexandra Blasi
Executive Secretary
Board of Pharmacy

Doc. No. 051345

State of Kansas

Behavioral Sciences Regulatory Board

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the staff of the Behavioral Sciences Regulatory Board (BSRB) from 10:00 a.m. to 11:00 a.m. Tuesday, October 3, 2023, in the BSRB conference room, 700 SW Harrison St., Suite 420, Topeka, Kansas, to consider proposed changes to administrative regulations for several professions regulated by the BSRB, K.A.R. 102-1-13, 102-2-3, 102-3-2, 102-4-2, 102-5-2, and 102-7-2.

There is metered parking all around the Eisenhower State Office Building. The public entrance is on the north side of the building. To ensure that there is adequate space for public attendees, all individuals wishing to attend the hearing must notify David B. Fye, JD, Executive Director for the BSRB, no later than two business days prior to the hearing by email at david.fye@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally. To give all parties an opportunity to present their views, it may be necessary to request each participant limit any oral presentation to five minutes or less, depending on the number of attendees that wish to speak. Oral comments will be recorded by staff members of the BSRB and summarized for the Board at the next full Board meeting when changes or adoption of the regulations are considered by the Board.

Any individual with a disability may request accommodation to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five business days in advance of the hearing by contacting Leslie Allen, Assistant Director, at 785-296-3240 or leslie.allen@ks.gov.

This 60-day notice of the public hearing constitutes a public comment period for purposes of receiving written public comments on the proposed amendments. All interested parties may submit written comments prior to the hearing to David B. Fye, JD, Executive Director, Behavioral Sciences Regulatory Board, 700 SW Harrison St., Suite 420, Topeka, KS 66603, or david.fye@ks.gov.

A copy of the full text of the regulations and the economic impact statements may be reviewed or obtained at the board office. They are also available on the board website at ksbsrb.ks.gov under proposed regulations. The board does not have a less costly or less intrusive method for achieving the stated purpose of these regulations. The regulations that will be considered during the regulatory hearing portion of the meeting are as follows:

Summary

These proposed changes to regulations primarily involve setting the amounts of fees for new license types created by the enactment of 2023 Sub. for SB 131, including: Community-Based Licenses; Temporary Reinstatement Licenses; Temporary Candidacy Bachelor's and Master's Social Work Licenses; Student Temporary Addiction Counselor Licenses; and establishing an expedited application fee. The proposed changes also include

lowering certain temporary license fees and setting a PSYPACT Home State Privilege to Practice Fee and a fee to become a Board-Approved Supervisor for the professions of professional counseling and marriage and family therapy.

Economic Impact

The net economic impact is unknown, as decreases to some existing fees will lead to a decrease in revenue for the BSRB; creation of some new license types are anticipated to serve as alternatives to existing licenses, so there would be no change in revenue; and some newly created licenses will lead to an increase in revenue, but most of these license types have no comparisons, so it is unknown how many individuals would pursue those new license types.

David B. Fye, JD
Executive Director

Behavioral Sciences Regulatory Board

Doc. No. 051362

State of Kansas

Behavioral Sciences Regulatory Board

Temporary Administrative Regulations

Article 1.—CERTIFICATION OF PSYCHOLOGISTS

102-1-13. Fees. (a) Each applicant for licensure as a psychologist shall pay the appropriate fee as follows:

- (1) Application for a license, \$175;
- (2) original license, \$50;
- (3) renewal, \$150;
- (4) duplicate license, \$20;
- (5) community-based psychologist license, \$50;
- (6) psychology interjurisdictional compact (PSYPACT) home state privilege to practice fee, \$25;
- (7) reinstatement temporary license, \$25
- (8) temporary license, \$50;
- (9) temporary license renewal fee, \$50;
- (10) temporary permit for an out-of-state licensed independent psychologist, \$200; or
- (11) temporary permit for an out-of-state licensed independent psychologist extension, \$200.

(b) Each applicant for an expedited application shall pay \$100 in addition to the application fee of \$175.

(c) Each applicant for a license renewal after the license's expiration date, if the license has been expired for less than one year, shall pay an additional fee of \$150, as well as the renewal fee of \$150.

(d) Each applicant for a license renewal after the license's expiration date, if the license has been expired for one-year or more, shall pay the renewal fee of \$150.

(e) Each applicant for reinstatement of a license that has been revoked by the board shall pay a fee of \$200.

(f) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 74-5316, as amended by 2023 Sub for SB 131, sec. 32, K.S.A. 2022 Supp. 74-5316a, K.S.A. 74-5318, as amended by 2023 Sub for SB 131, sec. 33, K.S.A. 74-5339, as amended by 2023 Sub for SB 131, sec. 41, K.S.A. 2022 Supp. 74-

(continued)

5353, and K.S.A. 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 74-5310, as amended by 2023 Sub for SB 131, sec. 30, K.S.A. 74-5310a, K.S.A. 2022 Supp. 74-5315, as amended by 2023 Sub for SB 131, sec. 31, K.S.A. 2022 Supp. 74-5316, as amended by 2023 Sub for SB 131, sec. 32, K.S.A. 2022 Supp. 74-5316a, K.S.A. 74-5318, as amended by 2023 Sub for SB 131, sec. 33, K.S.A. 74-5339, as amended by 2023 Sub for SB 131, sec. 41, and K.S.A. 2022 Supp. 74-5353; effective May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987; amended, T-102-5-1-90, May 1, 1990; amended June 11, 1990; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 23, 1993; amended Aug. 4, 1995; amended Oct. 24, 1997; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007; amended Nov. 30, 2007; amended, T-102-6-26-09, June 26, 2009; amended Oct. 9, 2009; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023.)

Article 2.—LICENSING OF SOCIAL WORKERS

102-2-3. Fees. (a) Each applicant for a new social work license shall pay the appropriate application fee as follows:

- (1) Licensed baccalaureate social worker (LBSW): \$50;
- (2) licensed master social worker (LMSW): \$50;
- (3) licensed specialist clinical social worker (LSCSW): \$50;
- (4) community-based social work license: \$50;
- (5) temporary candidacy baccalaureate social work license: \$50;
- (6) temporary candidacy baccalaureate social work license extension: \$50;
- (7) temporary candidacy master social work license: \$50;
- (8) temporary candidacy master social work license extension: \$50;
- (9) temporary license fee: \$50;
- (10) temporary permit for an out-of-state licensed independent clinical social worker: \$200; and
- (11) temporary permit for an out-of-state licensed independent clinical social worker extension: \$200.

(b) Each applicant for an expedited application shall pay \$100, in addition to the application fee of \$50.

(c) Each applicant for a new social work license shall pay the appropriate original license fee as follows:

- (1) Licensed baccalaureate social worker (LBSW): \$100;
- (2) licensed master social worker (LMSW): \$150; and
- (3) licensed specialist clinical social worker (LSCSW): \$150.

(d) Each applicant for license renewal shall pay the applicable fee as follows:

- (1) Licensed associate social worker (LASW): \$50;
- (2) licensed baccalaureate social worker (LBSW): \$50;
- (3) licensed master social worker (LMSW): \$75; and
- (4) licensed specialist clinical social worker (LSCSW): \$100.

(e) Each applicant for a reinstatement temporary license shall pay the applicable fee as follows:

- (1) Licensed baccalaureate social worker (LBSW): \$50;
- (2) licensed master social worker (LMSW): \$50; and
- (3) licensed specialist clinical social worker (LSCSW): \$50.

(f) Each applicant for license reinstatement after the date of the license's expiration, if the license has been expired less than one-year, shall pay, in addition to the renewal fee, the applicable penalty fee as follows:

- (1) Licensed associate social worker (LASW): \$50;
- (2) licensed baccalaureate social worker (LBSW): \$50;
- (3) licensed master social worker (LMSW): \$75; and
- (4) licensed specialist clinical social worker (LSCSW): \$100.

(g) Each applicant for a license renewal after the license's expiration date, if the license has been expired for one-year or more, shall pay the renewal fee listed in subsection (d).

(h) The fee for a replacement license shall be \$20, and the fee for a replacement wallet card license shall be \$2.

(i) Each provider of continuing education programs shall pay the applicable fee as follows:

- (1) One-year, provisional approved provider application fee: \$100;
- (2) three-year approved provider renewal fee: \$250; and
- (3) single-program provider fee: \$50.

(j) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 65-6309a, K.S.A. 65-6314, as amended by 2023 Sub for SB 131, sec. 13, and K.S.A. 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 65-6309a, K.S.A. 65-6313, as amended by 2023 Sub for SB 131, sec. 12, and K.S.A. 65-6314, as amended by 2023 Sub for SB 131, sec. 13; effective May 1, 1982; amended, T-86-20, July 1, 1985; amended May 1, 1986; amended, T-87-10, July 1, 1986; amended May 1, 1987; amended, T-102-10-17-89, Oct. 17, 1989; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended June 12, 1995; amended Aug. 4, 1995; amended Aug. 4, 2000; amended March 8, 2002; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007; amended Nov. 30, 2007; amended April 2, 2010; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023.)

Article 3.—PROFESSIONAL COUNSELORS; FEES

102-3-2. Fees. (a) Each applicant for licensure as a professional counselor or clinical professional counselor shall pay the appropriate fee or fees as follows:

- (1) Application for a professional counselor license, \$50;
- (2) application for a clinical professional counselor license, \$50;
- (3) application for a board-approved clinical supervisor, \$20;
- (4) community-based professional counselor license, \$50;
- (5) original professional counselor license, \$150;
- (6) original license fee for a clinical professional counselor, \$150;
- (7) renewal of a professional counselor license, \$100;
- (8) renewal of a clinical professional counselor license, \$125;
- (9) replacement of a professional counselor or a clinical professional counselor wall certificate, \$20;
- (10) reinstatement of a professional counselor license that has been suspended or revoked, \$100;

(11) reinstatement of a clinical professional counselor license that has been suspended or revoked, \$125;

(12) reinstatement temporary license for a professional counselor, \$25;

(13) reinstatement temporary license for a clinical professional counselor, \$25;

(14) temporary professional counselor license, \$50;

(15) temporary permit for an out-of-state licensed independent clinical professional counselor, \$200; or

(16) temporary permit for an out-of-state licensed independent clinical professional counselor extension, \$200.

(b)(1) Each applicant for renewal of a professional counselor license after license's expiration date, if the license has been expired for less than one year, shall pay the reinstatement fee in addition to the late renewal penalty fee of \$100;

(2) Each applicant for renewal of a professional counselor after the license's expiration date, if the license has been expired for one-year or more, shall pay the renewal fee of \$100.

(c)(1) Each applicant for renewal of a clinical professional counselor license after its expiration date, if the license has been expired for less than one year, shall pay the reinstatement fee in addition to the late renewal penalty fee of \$125;

(2) Each applicant for renewal of a clinical professional counselor after the license's expiration date, if the license has been expired for one-year or more, shall pay the renewal fee of \$125.

(d) Each applicant for an expedited application shall pay \$100, in addition to the application fee of \$50.

(e) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 65-5807a, K.S.A. 2022 Supp. 65-5808, as amended by 2023 Sub for SB 131, sec. 8, and K.S.A. 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 65-5804a, as amended by 2023 Sub for SB 131, sec. 5, K.S.A. 65-5807a, and K.S.A. 65-5808 as amended by 2023 Sub for SB 131, sec. 8; effective, T-88-45, Nov. 10, 1987; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007; amended Nov. 30, 2007; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023.)

Article 4. — MASTER'S LEVEL PSYCHOLOGISTS

102-4-2. Fees. (a) Each applicant or licensee shall pay the appropriate fee or fees as follows:

(1) Application for a master's level psychologist license, \$50;

(2) application for clinical psychotherapist license, \$50;

(3) community-based master's level psychologist license, \$50

(4) original master's level psychologist license, \$150;

(5) original clinical psychotherapy license, \$150;

(6) renewal of a master's level psychologist license, \$100;

(7) renewal of a clinical psychotherapist license, \$125;

(8) replacement of a master's level psychologist or a clinical psychotherapist license, \$20;

(9) replacement of a master's level psychologist or a clinical psychotherapist wallet card license, \$2;

(10) reinstatement of a master's level psychologist license after suspension or revocation, \$100;

(11) reinstatement of a clinical psychotherapist license after suspension or revocation, \$125;

(12) temporary master's level psychologist license, \$50;

(13) temporary permit for an out-of-state licensed independent clinical master's level psychologist, \$200; or

(14) temporary permit for an out-of-state licensed independent clinical master's level psychologist extension, \$200.

(b)(1) Each applicant for reinstatement of a master's level psychologist license after the license's expiration date, if the license has been expired for less than one year, shall pay the renewal fee in addition to the penalty fee of \$100;

(2) Each applicant for reinstatement of a master's level psychologist license after the license's expiration date, if the license has been expired for more than one year, shall pay the renewal fee of \$100.

(c)(1) Each applicant for reinstatement of a clinical psychotherapist license after the license's expiration date, if the license has been expired for less than one year, shall pay the renewal fee in addition to the penalty fee of \$125;

(2) Each applicant for reinstatement of a clinical psychotherapist license after the license's expiration date, if the license has been expired for more than one year, shall pay the renewal fee of \$125.

(d) Each applicant for an expedited application shall pay \$100, in addition to the application fee of \$50.

(e) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 74-5365, as amended by Sub for SB 131, sec. 36, K.S.A. 74-5367, as amended by Sub for SB 131, sec. 38, K.S.A. 2022 Supp. 74-5367a, and K.S.A. 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 74-5363, as amended by Sub for SB 131, sec. 35, K.S.A. 74-5365, as amended by Sub for SB 131, sec. 37, K.S.A. 74-5367, as amended by Sub for SB 131, sec. 38, and K.S.A. 2022 Supp. 74-5367a; effective, T-102-2-23-89, Feb. 23, 1989; effective April 3, 1989; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007; amended Nov. 30, 2007; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023.)

Article 5. — LICENSING OF MARRIAGE AND FAMILY THERAPISTS

102-5-2. Fees. (a) Each applicant or licensee shall pay the appropriate fee or fees as follows:

(1) Application for a marriage and family therapist license, \$50;

(2) application for a clinical marriage and family therapist license, \$50;

(3) application for a board-approved clinical supervisor, \$20;

(4) community-based marriage and family therapist license, \$50;

(5) original marriage and family therapist license, \$150;

(6) original clinical marriage and family therapist license, \$150;

(continued)

(7) renewal of a marriage and family therapist license, \$100;

(8) renewal of a clinical marriage and family therapist license, \$125;

(9) replacement of a marriage and family therapist or a clinical marriage and family therapist license, \$20;

(10) replacement of a marriage and family therapist or a clinical marriage and family therapist wallet card license, \$2;

(11) reinstatement of a marriage and family therapist license, \$100;

(12) reinstatement of a clinical marriage and family therapist license, \$125;

(13) reinstatement temporary license, \$25;

(14) temporary marriage and family therapist license, \$50;

(15) temporary permit for an out-of-state licensed independent clinical marriage and family therapist, \$200; or

(16) temporary permit for an out-of-state licensed independent clinical marriage and family therapist extension, \$200.

(b)(1) Each applicant for renewal of a marriage and family therapist license after the license's expiration, if the license has been expired for less than one year, date shall pay the renewal fee in addition to the late renewal penalty of \$100;

(2) Each applicant for renewal of a marriage and family therapist license after the license's expiration, if the license has been expired for less than one year, date shall pay the renewal fee of \$100.

(c)(1) Each applicant for renewal of a clinical marriage and family therapist license after the license's expiration, if the license has been expired for less than one year, date shall pay the renewal fee in addition to the late renewal penalty of \$125;

(2) Each applicant for renewal of a clinical marriage and family therapist license after the license's expiration date, if the license has been expired for more than one year, shall pay the renewal fee of \$125.

(d) Each applicant for an expedited application shall pay \$100, as well as the application fee of \$50.

(e) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 65-6405a, K.S.A. 2022 Supp. 65-6411, as amended by Sub for SB 131, sec. 11, and K.S.A. 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 65-6405, as amended by Sub for SB 131, sec. 17, K.S.A. 65-6405a, and K.S.A. 65-6411, as amended by Sub for SB 131, sec. 11; effective March 29, 1993; amended Aug. 23, 1993; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007; amended Nov. 30, 2007; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023.)

Article 7.—LICENSING OF ADDICTION COUNSELORS

102-7-2. Fees. (a) Each applicant or licensee shall pay the appropriate fee or fees as follows:

(1) Application for an addiction counselor license: \$50;

(2) application for a master's addiction counselor license: \$50;

(3) application for a clinical addiction counselor license: \$50;

(4) original addiction counselor license: \$100;

(5) original master's addiction counselor license: \$150;

(6) original clinical addiction counselor license: \$150;

(7) renewal of an addiction counselor license: \$50;

(8) renewal of a master's addiction counselor license: \$75;

(9) renewal of a clinical addiction counselor license: \$100;

(10) replacement of an addiction counselor, a master's addiction counselor, or a clinical addiction counselor license: \$20;

(11) replacement of an addiction counselor, a master's addiction counselor, or a clinical addiction counselor wallet license: \$2;

(12) reinstatement of an addiction counselor license: \$50;

(13) reinstatement of a master's addiction counselor license: \$75;

(14) reinstatement of a clinical addiction counselor license: \$100;

(15) reinstatement temporary addiction counselor license, \$25;

(16) reinstatement temporary master's addiction counselor license, \$25;

(17) reinstatement temporary clinical addiction counselor license, \$25;

(18) temporary addiction counselor license: \$50;

(19) temporary master's addiction counselor license: \$50;

(20) temporary permit for an out-of-state licensed clinical addiction counselor: \$200; or

(21) temporary permit for an out-of-state licensed clinical addiction counselor extension: \$200;

(22) student temporary addiction counselor license, \$50;

(23) student temporary addiction counselor license renewal, \$50.

(b) Each applicant for license renewal after the license's expiration date, if the license has been expired for less than one year, shall pay, in addition to the renewal fee, the applicable late renewal penalty fee as follows:

(1) Licensed addiction counselor: \$50;

(2) licensed master's addiction counselor: \$75; or

(3) licensed clinical addiction counselor: \$100.

(c) Each applicant for a license renewal after the license's expiration date, if the license has been expired for one-year or more, shall pay the renewal fee listed above.

(d) Each applicant for an expedited application shall pay \$100, in addition to the application fee of \$50.

(e) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 65-6618, as amended by Sub for SB 131, sec. 26, and 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 65-6618, as amended by Sub for SB 131, sec. 26; effective, T-102-7-1-11, July 1, 2011; effective, T-102-10-27-11, Oct. 27, 2011; effective Jan. 20, 2012; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023.)

David B. Fye, JD
Executive Director

Behavioral Sciences Regulatory Board

Doc. No. 051352

State of Kansas

Insurance Department

Permanent Administrative Regulation

Article 1.—GENERAL

40-1-54. Pharmacy benefits manager; network adequacy report. Each applicant for license to act as a pharmacy benefits manager shall submit a network adequacy report to the commissioner with the application that contains the following information:

- (a) The name and address of the pharmacy benefits manager;
- (b) the name, telephone number, and electronic-mail address of the contact person responsible for the license of the pharmacy benefits manager;
- (c) the name of each network administered in Kansas by the applicant;
- (d) the number of counties and a list of the counties in each service area;
- (e) the number of affiliated pharmacies in Kansas that are in the applicant’s networks;
- (f) the number of independent pharmacies in Kansas that are in the applicant’s networks;
- (g) the number of complaints submitted by pharmacies concerning the applicant’s network that the applicant has received in the previous 12 months. “Complaints” shall include complaints submitted in writing, by phone, by electronic mail, or by other electronic means;
- (h) the number of complaints submitted by patients concerning the applicant’s network that the applicant has received in the previous 12 months. “Complaints” shall include complaints submitted in writing, by phone,

by electronic-mail, or by other electronic means; and
 (i) a written narrative that meets the following requirements:

- (1) Describes the process for determining the reasonableness of patient access to a pharmacy based on distance from the patient’s residence, including whether any affiliates are included in the calculation of distance between patient residence and pharmacy, and a description of how mail-order and physical store locations are factored into the reasonableness determination;
 - (2) specifies whether the applicant’s contracts require patients to use pharmacies that are directly or indirectly owned by the applicant and any requirements for new prescriptions, refills, or specialty drugs, regardless of days supply;
 - (3) specifies whether the applicant imposes limits, including quantity limits or refill limits, on an independent pharmacy’s access to medications that differ from the limits imposed on the applicant’s affiliates;
 - (4) specifies how the applicant’s certification or accreditation requirements are used as a determinant of network participation;
 - (5) specifies how often certification or accreditation requirements are changed;
 - (6) specifies whether there are different standards for independent pharmacies and affiliates of the applicant and how these different standards are applied; and
 - (7) describes any subnetworks for specialty drugs.
- (Authorized by K.S.A. 2022 Supp. 40-3825; implementing K.S.A. 2022 Supp. 40-3823; effective Aug. 11, 2023.)

Vicki Schmidt
 Insurance Commissioner

Doc. No. 051353

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations with a future effective date and the *Kansas Register* issue in which the regulation can be found. A complete listing and the complete text of all currently effective regulations required to be published in the *Kansas Administrative Regulations* can be found at https://www.sos.ks.gov/pubs/pubs_kar.aspx.

AGENCY 40: INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-53	New	V. 42, Issue 24

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 from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list

of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 *Kansas Register*.

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