



Kansas Register

Kris W. Kobach, Secretary of State

Vol. 34, No. 22

May 28, 2015

Pages 497-528

In this issue . . .	Page
Legislative bills and resolutions introduced May 14-20	498
Pooled Money Investment Board	
Notice of investment rates.....	499
Kansas Board of Regents Universities	
Notice to bidders.....	499
Department of Administration—Procurement and Contracts	
Notice to bidders for state purchases	499
Kansas Judicial Council	
Notice of meeting	500
State Employees Health Care Commission	
Notice of meeting	500
Kansas Department of Transportation	
Notice to contractors.....	500
Department of Health and Environment	
Requests for comments on proposed air quality permits.....	501-506
Notice concerning water pollution control permits/applications	506
Notice of Bond Sale	
City of Leavenworth.....	508
City of Hays.....	509
U.S.D. 404, Cherokee County (Riverton)	510
U.S.D. 495, Pawnee County (Fort Larned).....	512
City of Gorham	
Notice of intent to seek private placement of general obligation bonds.....	510
Kansas Development Finance Authority	
Notice of hearing on proposed revenue bonds	513
New State Laws	
Senate Bill 14 , concerning the disposition of district court fines, penalties and forfeitures.....	513
Permanent Administrative Regulations	
Department of Agriculture—Division of Water Resources	513
State Corporation Commission.....	515
Index to administrative regulations	524

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced May 14-20 by the 2015 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, 785-296-4096. Full texts of bills, bill tracking and other information may be accessed at <http://www.kslegislature.org/li/>.

House Bills

HB 2433, AN ACT concerning taxation; relating to income tax, itemized deductions; amending K.S.A. 2014 Supp. 79-32,120 and repealing the existing section, by Committee on Taxation.

HB 2434, AN ACT concerning income taxation; relating to determination of income; addition modifications; subtraction modifications, business income; treatment of passive income; amending K.S.A. 2014 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2435, AN ACT concerning sales taxation; relating to exemptions; materials purchased by contractors to construct, equip, reconstruct, maintain, repair, enlarge, furnish or remodel public buildings; amending K.S.A. 2014 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

House Resolutions

HR 6026, by Representatives Boldra and Goico, A RESOLUTION urging the United States Congress to enact and the President of the United States to sign 2015 Senate Bill S. 901, the Toxic Exposure Research Act of 2015, into law.

HR 6027, by Representative O'Brien, A RESOLUTION commending

family caregivers in Kansas for their service and commitment to improving lives.

Senate Bills

SB 306, AN ACT concerning the open records act; relating to definitions; public agency and public record; amending K.S.A. 2014 Supp. 45-217 and repealing the existing section, by Senator Baumgardner.

SB 307, AN ACT concerning the open records act; relating to definitions; public agency and public record; amending K.S.A. 2014 Supp. 45-217 and repealing the existing section, by Committee on Ways and Means.

SB 308, AN ACT concerning compensation and expenses of legislators for a period of time during the 2015 regular session of the legislature, by Committee on Assessment and Taxation.

SB 309, AN ACT concerning health insurance; establishing certain fees on policies sold on the federally facilitated health insurance exchange; creating the medical assistance fee fund, by Committee on Ways and Means.

Senate Resolutions

SR 1748, by Senators Schmidt, Hensley and Kelly, A RESOLUTION congratulating and commending Dr. Brenda S. Dietrich for her more than 40 years of dedicated service in education upon her retirement from Auburn-Washburn school district in 2015.

SR 1749, by Senator Ostmeyer, A RESOLUTION congratulating and commending Hays High School for winning the 4A state championship at the Kansas Scholastic Press Association state journalism contest.

SR 1750, by Senator Ostmeyer, A RESOLUTION congratulating and commending St. Francis Community High School for winning the 1A state championship at the Kansas Scholastic Press Association state journalism contest.

SR 1751, by Senator McGinn, A RESOLUTION recognizing Tick-Borne Disease Awareness Month and supporting further Lyme disease research.

Doc. No. 043572

The Kansas Register (USPS 0662-190) is an official publication of the state of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly and a cumulative index is published annually by the Kansas Secretary of State. One-year subscriptions are \$80 (Kansas residents must include applicable state and local sales tax). Single copies, if available, may be purchased for \$2. **Periodicals postage paid at Topeka, Kansas. POSTMASTER:** Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

© Kansas Secretary of State 2015. Reproduction of the publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

Hard copy subscription information and current and back issues of the Kansas Register (PDF format) can be found at the following link: http://www.sos.ks.gov/pubs/pubs_kansas_register.asp

Published by
Kris W. Kobach
Secretary of State
1st Floor, Memorial Hall
120 S.W. 10th Ave.
Topeka, KS 66612-1594
785-296-4564
www.sos.ks.gov



Register Office:
1st Floor, Memorial Hall
785-296-3489
Fax 785-296-8577
kansasregister@sos.ks.gov

**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. 2014 Supp. 12-1675(b)(c)(d) and K.S.A. 2014 Supp. 12-1675a(g).

Effective 5-25-15 through 5-31-15

Term	Rate
1-89 days	0.13%
3 months	0.08%
6 months	0.11%
12 months	0.29%
18 months	0.49%
2 years	0.64%

Scott Miller
Director of Investments

Doc. No. 043562

**State of Kansas
Board of Regents Universities**

Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

Emporia State University — Bid postings: www.emporia.edu/busaff/. Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: tshepher@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801-5415.

Fort Hays State University — Bid postings: www.fhsu.edu/purchasing/bids. Additional contact info: phone: 785-628-4251, fax: 785-628-4046, email: purchasing@fhsu.edu. Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

Kansas State University — Bid postings: www.k-state.edu/purchasing/rfq. Additional contact info: phone: 785-532-5214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

Pittsburg State University — Bid postings: www.pittstate.edu/office/purchasing. Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: purch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

University of Kansas — Electronic bid postings: <http://www.procurement.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 20, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: purchasing@ku.edu.

University of Kansas Medical Center — Bid postings: <http://www2.kumc.edu/finance/purchasing/bids.html>. Additional con-

tact info: phone: 913-588-1100, fax: 913-588-1102. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

Wichita State University — Bid postings: www.wichita.edu/purchasing. Additional contact info: phone: 316-978-3080, fax: 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Steve White
Chair of Regents Purchasing Group
Director of Purchasing
Wichita State University

Doc. No. 042813

**State of Kansas
Department of Administration
Procurement and Contracts**

Notice to Bidders

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

- 06/09/2015 EVT0003808 Trucks
- 06/11/2015 EVT0003802 Excavating Services, Webster Park
- 06/22/2015 EVT0003807 Contract Attorney

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

<http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations>

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

<http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations>

- 06/16/2015 A-012594 Site Entry Modifications, Kansas State School for the Blind at Kansas City, Kansas
- 06/18/2015 A-012584 Triplett, Bleckley & Donlon Halls Nurse Call System Replacement at Kansas Veterans' Home at Winfield

Information regarding prequalification, projects and bid documents can be obtained at by calling 785-296-8899 or online at <http://admin.ks.gov/offices/ofpm/dcc>.

Notice of Intent to Sell Real Property

The Kansas Department of Administration intends to sell real property located at 2600 S.W. East Circle Drive, Topeka, Shawnee County, KS 66606. The sale will occur on or after June 28, 2015. Sale information will be published in the Topeka Capital-Journal and at <http://admin.ks.gov/offices/ofpm/real-estate-leasing/state-real-property-for-sale>.

Tracy T. Diel, Director
Procurement and Contracts

Doc. No. 043585

State of Kansas

Kansas Judicial Council

Notice of Meeting

The Kansas Judicial Council will meet at 9 a.m. Friday, June 5, in the Kansas Judicial Center, Room 140, 301 S.W. 10th Ave., Topeka.

Nancy J. Strouse
Executive Director

Doc. No. 043580

State of Kansas

State Employees Health Care Commission

Notice of Meeting

The Kansas State Employees Health Care Commission will meet at 1:30 p.m. Monday, June 8, in the KPERS boardroom, 611 S. Kansas Ave., Topeka. For more information contact Laurie Knowlton with the State Employee Health Plan at 785-296-6280.

Jim Clark
Chair

Doc. No. 043563

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the KDOT website at <http://www.ksdot.org/burconsmain/contracts/proposal.asp>. 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 not 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 the bid. The secretary of transportation reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2007 edition of the Kansas Department of Transportation's *Standard Specifications for State Road and Bridge Construction*.

KDOT will only accept electronic proposals using the Bid Express website at <http://www.bidx.com> until 1 p.m. local time June 17, 2015. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 S.W. Harrison, Topeka, at 1:30 p.m. local time June 17, 2015. An audio broadcast of the bid letting is available at <http://www.ksdot.org/burconsmain/audio.asp>.

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 pro-

vision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid nonresponsive and not eligible for award consideration.

District One — Northeast

Johnson—69-46 KA-3600-01 — U.S. 69 in Kansas City, intelligent transportation system, 3.7 miles. (State Funds)

Johnson—46 KA-4023-01 — Kansas City metro area, intelligent transportation system. (State Funds)

Johnson—35-46 KA-4135-01 — I-35, patching and overlay northbound from 95th Street to U.S. 69 overpass, southbound from Southwest Blvd. to Lamar, patching and concrete grinding from U.S. 96 overpass to I-635 and from Lamar to Southwest Blvd., southbound from I-635 to 95th Street, pavement patching, 9.8 miles. (State Funds)

Marshall—9-58 KA-2101-01 — K-9, bridge #021 located 2.30 miles east of Washington County line (Coon Creek), bridge replacement. (Federal Funds)

Shawnee—70-89 KA-4136-01 — I-70, 0.6 mile west of Urish Road to east KTA toll plaza, overlay, 12.6 miles. (State Funds)

Shawnee—89 TE-0394-01 — Pedestrian/bicycle infrastructure; citywide implementation of Phase 1 of the Topeka Bikeways Plan, pedestrian and bicycle paths. (Federal Funds)

Wyandotte—70-105 KA-4020-01 — I-70, 10th Street to James Street lighting, 1.0 mile. (Federal Funds)

District Two — North Central

Geary—77-31 KA-2367-03 — K-18/Spring Valley Road intersection and U.S. 77 from 0.13 mile north of U.S. 77/Lacy Drive/Goldenbelt Blvd., north to 0.1 mile north of McFarland Road, grading and surfacing, 1.6 miles. (Federal Funds)

Jewell—36-45 KA-2191-01 — U.S. 36, 4.4 miles east of east U.S. 36/K-128 junction east to 1.6 miles west of west U.S. 36/K-14 junction, pavement reconstruction, 1.4 miles. (Federal Funds)

Saline—135-85 KA-4140-01 — I-135, Saline/McPherson county line to I-135/U.S. 81 interchange, pavement marking, 18.8 miles. (Federal Funds)

District Three — Northwest

Graham—283-33 KA-3858-01 — U.S. 283, bridge #023 (over south fork Solomon River), located 1.06 miles south of the U.S. 283/U.S. 24 junction, bridge repair. (State Funds)

Sheridan—83-90 KA-0751-01 — Thomas-Sheridan county line east to junction U.S. 83/K-23, grading and surfacing, 11.3 miles. (Federal Funds)

Sheridan—383-90 KA-2198-01 — K-383, K-383/U.S. 83 junction, east to Decatur/Sheridan county line, milling and overlay, 1.3 miles. (State Funds)

Statewide—106 KA-4156-01 — Milling for RAP samples in Cheyenne, Decatur, Graham and Thomas counties in District Three, milling. (State Funds)

District Four — Southeast

Crawford—19 TE-0393-01 — Pedestrian/bicycle path; Broadway and 12th Street east to Michigan and 12th Street, to Schlanger Park and through to 4th Street, pedestrian and bicycle paths. (Federal Funds)

Franklin—35-30 KA-4157-01 — I-35, beginning at the north side of the Eisenhower interchange north to the Franklin/Miami county line, pavement marking, 17.1 miles. (Federal Funds)

Miami—35-61 KA-4158-01 — I-35, Miami/Franklin county line to Miami/Johnson county line, pavement marking, 2.8 miles. (Federal Funds)

District Five — South Central

Barton—281-5 KA-3051-01 — Intersection of U.S. 281 and Railroad Avenue, intersection improvement, 0.2 mile. (State Funds)

Butler—8 K-2831-07 — El Dorado State Park, state park road. (State Funds)

Butler—54-8 KA-2212-03 — U.S. 54, from 800 feet east of Andover Road east to 400 feet west of existing Dike Road near Augusta, seeding, sodding, 7.8 miles. (State Funds)

Harvey—50-40 KA-1827-06 — U.S. 50, from 0.5 mile east of U.S. 50/K-89 junction, east for 0.5 mile (west end of existing passing lanes), grade and surfacing, 0.5 mile. (Federal Funds)

Harvey—50-40 KA-1827-07 — U.S. 50, from 1.3 miles east of U.S. 50/RS-304 junction east for 1.2 miles, grade and surfacing, 1.2 miles. (Federal Funds)

Sedgwick—135-87 KA-0733-02 — I-135, from the junction of I-135/K-96 (37th Street North) north to north city limits of Park City, seeding, sodding, 6.9 miles. (State Funds)

Sedgwick—87 KA-2949-01 — Wichita metro, intelligent transportation system. (Federal Funds)

Sedgwick—54-87 KA-3862-01 — U.S. 54 bridges; bridge #375 westbound and bridge #376 eastbound over the Arkansas River, bridge #381 eastbound over Southwest Blvd., bridge #383 eastbound over Meridian Avenue, bridge #385 eastbound over Seneca Avenue, and bridge #387 eastbound over Sycamore Street, bridge repair, 0.0 mile. (State Funds)

Sedgwick—96-87 KA-4145-01 — K-96 eastbound exit ramp at the K-96/Greenwich Road interchange, signing. (State Funds)

Sumner—55-96 KA-3854-01 — K-55, bridge #116 (over Arkansas River), located 7.63 miles east of the U.S. 81/K-55 junction, bridge repair, 0.0 mile. (State Funds)

District Six — Southwest

Haskell—83-41 KA-1008-07 — U.S. 83/U.S. 56 intersection near city of Sublette, grading and surfacing, 0.3 mile. (Federal Funds)

Mike King
Secretary of Transportation

Doc. No. 043545

State of Kansas

**Department of Health
and Environment**

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Growmark, Inc. – St. Joseph Terminal has applied for a Class I operating permit renewal in accord-

ance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Growmark, Inc., 1701 Towanda Ave., Bloomington, IL 61702, owns and operates St. Joseph Terminal, a petroleum pump station and loading terminal located at 963 Vernon Road, Wathena, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Northeast District Office, 800 W. 24th St., Lawrence. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Pat Simpson, 785-842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 29.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 29 in order for the secretary of health and environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043575

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. ONEOK Field Services Company, LLC has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

ONEOK Field Services Company, LLC, P.O. Box 871, Tulsa, OK 74102-0871, owns and operates Cheney Gas Plant located at Section 22, T28S, R5W, Kingman County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE South Central District Office, 300 W. Douglas, Suite 700, Wichita. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or David Butler, 316-337-6042, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 29.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 29 in order for the secretary of health and environment to consider the request.

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

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

unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043565

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Panhandle Eastern Pipe Line Company – Borchers Compressor Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Panhandle Eastern Pipe Line Company, 800 E. Sonterra Blvd., San Antonio, TX 78258, owns and operates Borchers Compressor Station, a natural gas compressor station located at Section 3, T33S, R28W, Meade County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 29.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 29 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to

the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043566

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. WTG Hugoton L.P. has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

WTG Hugoton L.P., 211 N. Colorado, Midland, TX 79701, owns and operates Morton County #1 Compressor Station located at Section 25, T34S, R40W, Morton County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 29.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 29 in order for the secretary of health and environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043568

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Regency Field Services, LLC – Greenwood #1 Compressor Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Regency Field Services, LLC, 2001 Bryan St., Dallas, TX 75201, owns and operates Greenwood #1 Compressor Station, a natural gas compressor station located at Section 9, T33S, R43W, Morton County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest

(continued)

District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 29.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 29 in order for the secretary of health and environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043569

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. WTG Hugoton, L.P. – Stevens County #4 Compressor Station has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting

requirements applicable to each source as of the effective date of permit issuance.

WTG Hugoton, L.P., 211 N. Colorado, Midland, TX 79701, owns and operates Stevens County #4 Compressor Station located at Section 25, T34S, R36W, Stevens County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 29.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 29 in order for the secretary of health and environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043571

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Anadarko Gathering Company, LLC has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Anadarko Gathering Company, LLC, P.O. Box 1330, Houston, TX 77251-1330, owns and operates HUGS D Booster Station located at Section 9, T33S, R38W, Stevens County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 29.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 29 in order for the secretary of health and environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such pe-

riod. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043567

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. WTG Hugoton, L.P. has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

WTG Hugoton, L.P., 211 N. Colorado, Midland, TX 79701, owns and operates Finney County #2 Compressor Station located at Section 15, T25S, R34W, Finney County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 29.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, not later than noon June 29 in order for the secretary of health and environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review pe-

(continued)

riod, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043570

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding the amendment of previously issued air quality construction permits. Cargill, Inc. Oilseeds Division, P.O. Box 2696, Wichita, 67201-9915, owns and operates the stationary source located at 1425 North Mosley, Wichita, 67214. Certain requirements were found to no longer be appropriate in the construction permits dated September 16, 1997, revised April 11, 2002, and November 30, 2001. These requirements are being modified.

A copy of the modification is available for public inspection during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the Wichita Department of Environmental Health, 1900 E. 9th St., Wichita. To obtain or review the modification contact Ann Spitz, 785-368-6683, at the KDHE central office, and to review the proposed permit only, contact Randy Owen, 316-268-8353, at the Wichita Department of Environmental Health. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed modification may be directed to Ann Spitz, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon June 29.

A person may request a public hearing be held on the proposed 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 Ann Spitz, KDHE, Bureau of Air, not later than noon June 29 in order for the secretary of health and environment to consider the request.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043576

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

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

Public Notice No. KS-AG-15-199/212

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Mr. Fred Williams Seaboard Foods – Holcomb #258 2801 Hurliman Road Guymon, OK 73942	NE/4 of SE/4 of Section 09, T34S, R38W, Stevens County	Cimarron River Basin
Kansas Permit No. A-CISV-H006		Federal Permit No. KS0092711
This is a permit modification and reissuance for an existing facility with the proposed maximum capacity of 30,000 head (3,000 animal units) of swine weighing 55 pounds or less. The facility consists of ten enclosed swine buildings with underground concrete pits, and an anaerobic retention structure. Proposed modifications include converting the facility from a finishing site into a nursery site. As a result, the total number of animal units will be reduced by 1,320 from the previous permit. No new construction is proposed. This facility has an approved Nutrient Management Plan on file with KDHE.		
Name and Address of Applicant	Legal Description	Receiving Water
Douglas Enneking 2808 N Road Bern, KS 66408	W/2 of Section 17, T01S, R13E, Nemaha County	Missouri River Basin
Kansas Permit No. A-MONM-B012		
A permit is being reissued to the existing confined animal feeding facility for 100 head (100 animal units) of beef cattle weighing more than 700 pounds and 100 head (50 animal units) of beef cattle weighing less than 700 pounds. The facility has changed from a dairy to a beef cattle operation and the animal unit capacity has decreased since the previous permit.		
Name and Address of Applicant	Legal Description	Receiving Water
Curtis M. Mueller Mueller Dairy 2040 Delaware Road Humboldt, KS 66748	SW/4 of Section 08, T26S, R19E, Allen County	Neosho River Basin
Kansas Permit No. A-NEAL-B002		

This is a new permit for an existing facility for a change in operation from a dairy to 200 head (100 animal units) of beef cattle weighing less than 700 pounds each. This is a reduction in animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Keevin C. Newcomer Spring Creek Farms 17050 290th Ave. Ogallah, KS 67656	SW/4 of Section 07, T12S, R22W, Trego County	Smoky Hill River Basin

Kansas Permit No. A-SHTR-S006

This permit is being reissued for an existing facility with a maximum capacity of 100 head (40 animal units) of swine more than 55 pounds and 400 head (40 animal units) of swine 55 pounds or less, for a total of 80 animal units. There is no change in the permitted animal units from the previous permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
Raymond Mueing 102 176th Road Axtell, KS 66403	NW/4 of Section 18, T02S, R11E, Nemaha County	Big Blue River Basin

Kansas Permit No. A-BBNM-S003

This permit is being reissued for an existing facility with a maximum capacity of 481 head (192.4 animal units) of swine more than 55 pounds, 160 head (16 animal units) of swine 55 pounds or less and 25 head (12.5 animal units) of cattle 700 pounds or less, for a total of 220.9 animal units. There is no change in the permitted animal units from the previous permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
Stanley E. Ericson Ericson Pork 356 2nd Road Clifton, KS 66937	SE/4 of Section 09, T05S, R01E, Washington County	Lower Republican River Basin

Kansas Permit No. A-LRWS-S021

This permit is being reissued for an existing facility with a maximum capacity of 79 head (31.6 animal units) of swine weighing greater than 55 pounds and 780 head (78 animal units) of swine weighing 55 pounds or less, for a total of 109.6 animal units of swine. There is no change in the permitted animal units from the previous permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
Shanna M. Long Long Farm Partnership 610 N. Neill Ave. Oberlin, KS 67749	NE/4 of Section 04, T03S, R27W, Decatur County	Upper Republican River Basin

Kansas Permit No. A-URDC-B001

This permit is being reissued for an existing facility with a maximum capacity of 980 head (980 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Roland Martin Martin Dairy 1772 Road 30 Hartford, KS 66854	SE/4 of Section 23, T21S, R12E, Lyon County	Neosho River Basin

Kansas Permit No. A-NELY-M002

This permit is being reissued for the maximum capacity of 300 head (300 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Michael Spresser Crystalline 7 Feeders 200 1300th Road Selden, KS 67757	SW/4 of Section 25, T05S, R29W, Decatur County	Upper Republican River Basin

Kansas Permit No. A-URDC-B007

This is a reissuance of a permit for an existing facility with a maximum capacity of 500 head (250 animal units) of beef cattle 700 pounds or less. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Byron Lehman Lehman Farms, LLC 5309 N. Meridian Newton, KS 67114	SE/4 of Section 25, T22S, R01W, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-M010

This is a reissuance of a permit for an existing facility for 225 head (315 animal units) of mature dairy cattle. This represents a decrease in the permitted animal units from the previous permit by 22 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Doug Yoder Elmwood Farm 3819 E. Trail West Road Haven, KS 67543	NW/4 of Section 15, T24S, R05W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M010

This is a reissuance of a permit for an existing facility for 60 head (84 animal units) of mature dairy cattle and 30 head (30 animal units) of cattle weighing more than 700 pounds, and 20 head (10 animal units) of cattle weighing less than 700 pounds, for a total of 124 animal units. This represents an increase in the permitted animal units from the previous permit by 40 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Doug Harner H & S Cattle Company 6802 S. Salem Road Partridge, KS 67566	SW/4 of Section 07, T24S, R07W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-B003

This is a reissuance of a permit for an existing facility for 999 head (499.5 animal units) of cattle weighing less than 700 pounds. This represents an increase in the permitted animal units from the previous permit by 199.5 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Roy N. Brown Cattle Empire, LLC #1 1174 Empire Circle Satanta, KS 67870	W/2 of Section 09, T28S, R33W, Haskell County	Cimarron River Basin

Kansas Permit No. A-CIHS-C005 Federal Permit No. KS0039411

This is a reissuance of a permit for an existing facility for 55,000 head (55,000 animal units) of cattle weighing greater than 700 pounds. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Leon Zoglman 4501 S. 295th West Cheney, KS 67025	SE/4 of Section 18, T28S, R03W, Sedgwick County	Lower Arkansas River Basin

Kansas Permit No. A-ARSG-B013

This is a reissuance of a permit for an existing facility for the maximum capacity of 100 head (100 animal units) of cattle weighing more than 700 pounds, and 100 head (50 animal units) of cattle weighing less than 700 pounds. This represents an increase in the permitted animal units from the previous permit by 10 animal units.

Public Notice No. KS-AG-R-15-015/016

Per K.S.A. 65-171d, the following registrations have been received for proposed confined feeding facilities:

(continued)

Name and Address of Registrant	Legal Description	County
Tim Nace 17136 30th Ave. Greensburg, KS 67054	SW/4 of Section 03, T28S, R18W	Kiowa
Name and Address of Registrant	Legal Description	County
Fredrick (Fred) Auchard Wolf Creek Cattle Co., LLC 1981 S. 850 Road Council Grove, KS 66846	SW/4 of Section 02, T17S, R08E	Morris

Public Notice No. KS-Q-15-069/070

The requirements of the draft permits 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
Arkansas City, City of P.O. Box 778 Arkansas City, KS 67005	Arkansas River	Treated Domestic Wastewater
Kansas Permit No. M-AR06-IO01	Federal Permit No. KS0044831	
Legal Description: SW¼, SE¼, SE¼, S31, T34S, R4E, Cowley County, KS		

This permit is being modified and re-public noticed to correct an error in the chloride limit, which was set at the water quality standard rather than including background and dilution of the receiving stream, and to add the proposed addition of the public water supply wastewater discharge to the existing wastewater plant's effluent pump station thus requiring a combined outfall limit at 001X1 for chloride. There are no other modifications to the existing permit.

Name and Address of Applicant	Receiving Stream	Type of Discharge
The Monarch Cement Company P.O. Box 1000 Humboldt, KS 66748	Coal Creek via Unnamed Tributary	Process Wastewater
Kansas Permit No. I-NE36-PO01	Federal Permit No. KS0000701	
Legal Description: Portions of S10, S11, S12, S16 and S21, T26S, R18E, Allen County, KS		

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains modifications to relocate quarry outfalls 007X1 and 008X1, the addition of a new quarry outfall 009X1, the elimination of outfall 003A and the addition of a new sub-outfall 002A1. This facility manufactures Portland cement by heating a stoichiometric mixture of pulverized limestone and shale to 2800° F in specially equipped kilns. Also includes limestone and shale quarries that are contiguous to the facility. The proposed permit contains limits for total suspended solids and pH, as well as monitoring of temperature and flow. Domestic waste and service shop wastewater are connected to the city sanitary sewer system. Lab waste is collected in drums and shipped off site for treatment and disposal.

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

All comments regarding the draft documents or application notices received on or before June 27 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-15-199/212, KS-AG-R-15-015/016, KS-Q-15-069/070) and name of the applicant/permittee when preparing comments.

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

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

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043581

(Published in the Kansas Register May 28, 2015.)

Summary Notice of Bond Sale City of Leavenworth, Kansas \$1,730,000* General Obligation Bonds Series 2015-A

(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the Official Notice of Bond Sale and Preliminary Official Statement dated May 27, 2015, sealed, facsimile and electronic bids will be received by the city clerk of the city of Leavenworth, Kansas (the city or the issuer), on behalf of the governing body of the city in the case of sealed bids, at City Hall, 100 N. 5th St., Leavenworth, KS 66048, or via facsimile at 913-651-7143, and in the case of electronic bids, via BIDCOMP/PARITY electronic bid submission system, until 11 a.m. (CDT) Tuesday, June 9, 2015, for the purchase of \$1,730,000* principal amount of General Obligation Bonds, Series 2015-A. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual pur-

chases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated June 30, 2015, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2016	\$155,000
2017	165,000
2018	165,000
2019	170,000
2020	170,000
2021	175,000
2022	175,000
2023	180,000
2024	185,000
2025	190,000

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the Official Notice of Bond Sale.

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2016.

Paying Agent and Bond Registrar

The Kansas State Treasurer, Topeka, Kansas, will be the paying agent and bond registrar.

Good Faith Deposit

Each bid shall be accompanied by a cashier’s or certified check drawn on a bank located in the United States, a wire transfer or a qualified financial surety bond in the amount of \$34,600 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered to the facilities of the Depository Trust Company, Jersey City, New Jersey, without cost to the successful bidder within 45 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the city for the year 2014 is \$233,046,052. The total general obligation indebtedness of the issuer, following the concurrent issuance of the bonds and the issuer’s Temporary Notes, Series A2015, in the aggregate principal amount of \$1,750,000 is \$31,750,000 (which excludes a portion of the city’s Temporary Notes, Series A2014, in the principal amount of \$1,700,000, which will be paid with proceeds of the bonds).

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, 913-684-0335, or from the city’s financial advisor, Piper Jaffray & Co., 11635 Rosewood St., Leawood, KS 66211-2000, 913-345-3374, Attn: Greg Vahrenberg.

Dated May 28, 2015.

City of Leavenworth, Kansas
 Karen J. Logan, City Clerk
 City Hall, 100 N. 5th St.
 Leavenworth, KS 66048

*Subject to change.

Doc. No. 043579

(Published in the Kansas Register May 28, 2015.)

Summary Notice of Bond Sale

City of Hays, Kansas

\$1,010,000*

General Obligation Bonds, Series 2015-A

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the Notice of Bond Sale dated May 14, 2015, written and electronic bids will be received on behalf of the clerk of the city of Hays, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 11 a.m. (CDT) June 11, 2015, for the purchase of the above-referenced bonds. No bid of less than 101 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 1, 2015, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2016	\$55,000
2017	60,000
2018	60,000
2019	60,000
2020	65,000
2021	65,000
2022	65,000
2023	65,000
2024	70,000
2025	70,000
2026	70,000
2027	75,000
2028	75,000
2029	75,000
2030	80,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2016.

(continued)

nually on March 1 and September 1 in each year, beginning March 1, 2016.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a wire transfer in the manner that complies with the requirements set forth in the Notice of Sale in the amount of \$20,200.

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 July 1, 2015, 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 2014 is \$224,803,029. The total general obligation indebtedness of the issuer as of the closing date, including the bonds being sold, is \$12,915,000.

Approval of Bonds

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

Additional Information

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

Written and Facsimile Bid and Good Faith Deposit Delivery Address:

City of Hays, Kansas
1507 Main St.
Hays, KS 67601
785-628-7300
Fax: 785-621-2005
bkitchen@haysusa.com

Financial Advisor:

George K. Baum & Company
4801 Main St., Suite 500
Kansas City, MO 64112
Attn: Dave Arteberry
816-474-1100
Fax: 816-283-5326
arteberry@gkbaum.com

Dated May 14, 2015.

City of Hays, Kansas
By: Brenda Kitchen, Clerk

*Preliminary; subject to change as provided in the Notice of Bond Sale.

Doc. No. 043583

(Published in the Kansas Register May 28, 2015.)

City of Gorham, Kansas

Notice of Intent to Seek Private Placement General Obligation Bonds, Series 2015

Notice is hereby given that the city of Gorham, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$275,903.90. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds and the passage of an ordinance and adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated May 28, 2015.

Amber Washburn
City Clerk

Doc. No. 043564

(Published in the Kansas Register May 28, 2015.)

Summary Notice of Bond Sale Unified School District No. 404 Cherokee County, Kansas (Riverton)

\$9,700,000*

General Obligation Bonds
Series 2015-A

\$2,650,000*

Taxable General Obligation Bonds
Series 2015-B

(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the Notice of Bond Sale dated May 14, 2015, written and electronic bids will be received on behalf of the clerk of Unified School District No. 404, Cherokee County, Kansas (Riverton) (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 10 a.m. (CDT) June 11, 2015, for the purchase of the above-referenced bonds (jointly, the bonds). No bid of less than 102 percent for the Series 2015-A Bonds and no bid of less than 99 percent for the Series 2015-B Bonds of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The General Obligation Bonds, Series 2015-A, will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof (the authorized denomination). The Series 2015-A Bonds will be dated June 25, 2015 (the dated date), and will become due on September 1 in the years as follows:

Year	Principal Amount
2021	\$ 60,000
2022	560,000

2023	575,000
2024	595,000
2025	610,000
2026	630,000
2027	650,000
2028	670,000
2029	690,000
2030	710,000
2031	735,000
2032	765,000
2033	790,000
2034	815,000
2035	845,000

The Taxable General Obligation Bonds, Series 2015-B, will consist of fully registered bonds in an authorized denomination. The Series 2015-B Bonds will be dated as of the dated date, and will become due in principal installments on September 1 in the years as follows:

Year	Principal Amount
2016	\$315,000
2017	450,000
2018	460,000
2019	465,000
2020	475,000
2021	485,000

The bonds will bear interest from the dated date 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, 2016 (the interest payment dates).

Adjustment of Issue Size

The issuer reserves the right to decrease the total principal amount of the bonds, depending on the purchase price and interest rates bid and the offering prices specified by the successful bidder. The total principal amount of the bonds will be established at an amount that ensures that the total of the reoffering prices of the Series 2015-A Bonds will not exceed \$10,000,000 and that the total principal amount of both series of bonds will not exceed \$12,350,000. The principal amount of any maturity may be adjusted by the issuer in order to properly size the bond issue. The successful bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the bonds or principal of any maturity as described herein. If there is an increase or decrease in the final aggregate principal amount of the bonds or the schedule of principal payments as described above, the issuer will notify the successful bidder by means of telephone or facsimile transmission, subsequently confirmed in writing, not later than 2 p.m. (CDT) on the sale date. The actual purchase price for the bonds shall be calculated by applying the percentage of par value bid by the successful bidder against the final aggregate principal amount of the bonds, as adjusted, plus accrued interest from the date of the bonds to the date of delivery.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$194,000 for the General Obligation Bonds, Series 2015-A, and \$53,000 for the Taxable General Obligation Bonds, Series 2015-B.

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 June 25, 2015, 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 2014 is \$36,566,721. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$12,350,000.

Approval of Bonds

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

Additional Information

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

Written Bid and Good Faith Deposit

Delivery Address:

Susie Nowlin, Clerk
 Unified School District No. 404
 6860 S.E. Hwy. 66, P.O. Box 290
 Riverton, KS 66770
 620-848-3386
 Fax: 620-848-9853
 snowlin@usd404.org

Financial Advisor — Facsimile Bid

Delivery Address:

Piper Jaffray & Co.
 11635 Rosewood St.
 Leawood, KS 66211
 Attn: Dustin Avey
 913-345-3374
 Fax: 913-345-3393
 dustin.j.avey@pjc.com

Dated May 14, 2015.

Unified School District No. 404
 Cherokee County, Kansas (Riverton)

***Subject to change and adjustment of issue size.**

Doc. No. 043578

(Published in the Kansas Register May 28, 2015.)

**Summary Notice of Bond Sale
Unified School District No. 495
Pawnee County, Kansas (Fort Larned)**

\$19,400,000*

**General Obligation Bonds
Series 2015-A**

\$2,800,000*

**Taxable General Obligation Bonds
Series 2015-B**

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

Bids

Subject to the Notice of Bond Sale dated May 11, 2015, written and electronic bids will be received on behalf of the clerk of Unified School District No. 495, Pawnee County, Kansas (Fort Larned) (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 11 a.m. (CDT) June 8, 2015, for the separate purchase of the Series 2015-A Bonds and the Series 2015-B Bonds (collectively, the bonds). Minimum purchase prices for each series of bonds are set forth in the official Notice of Bond Sale.

Bond Details

General. The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof; will be dated June 24, 2015 (the dated date); and will bear interest from the dated date at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually beginning on April 1 and October 1 in each year, beginning April 1, 2016 (the interest payment dates).

Series 2015-A Bonds. The Series 2015-A Bonds will become due in principal installments on October 1 in the years as follows:

Year	Principal Amount*
2017	\$50,000
2018	50,000
2019	55,000
2020	890,000
2021	925,000
2022	965,000
2023	1,005,000
2024	1,040,000
2025	1,085,000
2026	1,130,000
2027	1,170,000
2028	1,210,000
2029	1,255,000
2030	1,300,000
2031	1,345,000
2032	1,395,000
2033	1,450,000
2034	1,510,000
2035	1,570,000

Series 2015-B Bonds. The Series 2015-B Bonds will become due in principal installments on October 1 in the years as follows:

Year	Principal Amount*
2016	\$380,000
2017	795,000
2018	805,000
2019	820,000

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a wire transfer in Federal Reserve funds immediately available for use by the issuer, as follows: (a) Series 2015-A – \$388,000; and (b) Series 2015-B – \$56,000.

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 June 24, 2015, 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 2014 is \$61,564,591. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$22,200,000.

Approval of Bonds

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

Additional Information

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

Written Bid and Good Faith Deposit**Delivery Address:**

Tiffany Burris, Clerk
Office of the Board of Education
120 E. 6th St.
Larned, KS 67550
620-285-3185
Fax: 620-285-2973
tiffany.burris@usd495.net

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

Piper Jaffray & Co.
11635 Rosewood St.
Leawood, KS 66211
Attn: Dustin Avey
913-345-3375
Fax: 913-345-3393

dustin.j.avey@pjc.com

Dated May 11, 2015.

Unified School District No. 495
Pawnee County, Kansas (Fort Larned)

*Subject to change; see Notice of
Bond Sale dated May 11, 2015.

Doc. No. 043584

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, June 11, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 000930 – Maximum Principal Amount: \$211,167.51. Owner/Operator: Austin D. and Crystal L. Moore. Description: Acquisition of 160 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Austin D. and Crystal L. Moore and is located at Section 11, Township 24, Range 15, Woodson County, Kansas, approximately 4 miles north of Yates Center on U.S. 75 Highway.

The bond, when issued, will be a limited obligation of the KDFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the KDFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue the bond to finance the project, and all written comments previously filed with the KDFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the KDFA.

Tim Shallenburger
President

Doc. No. 043582

State of Kansas

Secretary of State

Certification of New State Laws

I, Kris W. Kobach, Secretary of State of the State of Kansas, do hereby certify that the following bill is a correct copy of the original enrolled bill now on file in my office.

Kris W. Kobach
Secretary of State

(Published in the Kansas Register May 28, 2015.)

SENATE BILL No. 14

AN ACT concerning the disposition of district court fines, penalties and forfeitures; relating to the criminal justice information system line fund; amending K.S.A. 2014 Supp. 74-7336 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2014 Supp. 74-7336 is hereby amended to read as follows: 74-7336. (a) Of the remittances of fines, penalties and forfeitures received from clerks of the district court, at least monthly, the state treasurer shall credit:

- (1) 10.94% to the crime victims compensation fund;
- (2) 2.24% to the crime victims assistance fund;
- (3) 2.75% to the community alcoholism and intoxication programs fund;
- (4) 7.65% to the department of corrections alcohol and drug abuse treatment fund;
- (5) 0.16% to the boating fee fund;
- (6) 0.11% to the children's advocacy center fund;
- (7) 2.28% to the EMS revolving fund;
- (8) 2.28% to the trauma fund;
- (9) 2.28% to the traffic records enhancement fund;
- (10) ~~2.91%~~ 4.4% to the criminal justice information system line fund; and
- (11) the remainder of the remittances to the state general fund.

(b) The county treasurer shall deposit grant moneys as provided in subsection (a), from the crime victims assistance fund, to the credit of a special fund created for use by the county or district attorney in establishing and maintaining programs to aid witnesses and victims of crime.

Sec. 2. K.S.A. 2014 Supp. 74-7336 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Department of Agriculture Division of Water Resources

Permanent Administrative Regulations

Article 22.—EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

5-22-7. Safe yield. (a) Except as specified in subsection (b), the approval of each application for a change in the point of diversion, term permit, and permit to appropriate water for beneficial use shall be subject to the following requirements:

(1) The sum of prior appropriations shall include all of the following:

- (A) The proposed application;
- (B) vested rights;
- (C) appropriation rights;
- (D) term permits;

(continued)

- (E) earlier priority applications; and
- (F) baseflow nodes.

The sum of prior appropriations shall not exceed the allowable safe-yield amount for the area of consideration. The non-consumptive use of groundwater previously authorized by the chief engineer shall be excluded from the sum of prior appropriations.

(2) The quantity authorized on all prior permits, certificates, and vested rights, the quantity requested on prior applications, and the quantities allocated to baseflow nodes shall be used to calculate the sum of prior appropriations and baseflow allocations.

(3) All conditions and limitation clauses listed on all prior appropriations and applications in the area of consideration shall be considered in effect.

(4) The baseflow allocation for baseflow nodes shall be calculated using the formula $Q_a = T/N$ where:

(A) Q_a is the baseflow allocation per baseflow node in acre-feet per year;

(B) T is the total baseflow allocation for a reach of a stream in acre-feet per calendar year. T is the average of the 12 calendar months' daily flow values in cubic feet per second that were equaled or exceeded 90 percent of the time during a specifically designated hydrologically significant period of record, times a factor of 724; and

(C) N is the number of baseflow nodes established on a stream or reach of a stream. Nodes are located at the upstream end of the watercourse reach and thereafter at the intersection of the channel of a watercourse and an arc of a 1,320-foot-radius circle whose center is located on the previously established baseflow node.

(5) The allowable safe-yield amount shall be calculated using the formula $S = A \times K$ where:

(A) S is the allowable safe-yield amount in acre-feet per year;

(B) A is the area of consideration; and

(C) K is an aquifer recharge value in feet. Everywhere in the district, except in McPherson county, K is equal to 0.5 feet per year. In McPherson county, K is a constant equaling 0.25 feet per year. K is calculated by multiplying the recharge percentage, which is 10 percent in McPherson county and 20 percent for the rest of the district, times the average annual precipitation of 2.5 feet per year.

(6) When evaluating an application for a change in the point of diversion, each application with a priority earlier than the priority established by the filing of the application of change shall be included in the safe-yield analysis.

(7) If the perimeter of the area under consideration intersects a group of wells authorized under prior applications, permits, certificates, or vested rights, a reasonable quantity of water shall be assigned to each well based upon the best available information.

(b) The following shall not be subject to this regulation:

(1) An application to appropriate groundwater in an area not closed by regulation or intensive groundwater use control area order by the chief engineer to new non-domestic, non-temporary permits and term permits for five or fewer years, if all of the following conditions are met:

(A) The annual quantity of water requested in the application does not exceed 15 acre-feet;

(B) the sum of the annual quantity of water requested in the application and the total annual quantities of water authorized by prior approvals of applications allowed because of an exemption pursuant to this regulation does not exceed 45 acre-feet in a two-mile-radius circle surrounding the proposed point of diversion;

(C) the approval of the application does not authorize an additional quantity of water out of an existing authorized point of diversion with a non-domestic approval of application or water right that would then authorize a total combined annual quantity of water from that point of diversion in excess of 15 acre-feet;

(D) the approval of the application does not authorize an additional quantity of water to be used on a currently authorized non-domestic place of use in excess of 15 acre-feet;

(E) the approval of the application does not authorize an additional quantity of water to be pumped through a common distribution system in excess of 15 acre-feet;

(F) the application meets the well spacing criteria in K.A.R. 5-22-2;

(G) the application meets the requirements of all other applicable regulations in effect when the application is filed; and

(H) the maximum authorized rate of diversion does not exceed 50 gallons per minute;

(2) an application for a non-consumptive use of groundwater;

(3) an application for change in point of diversion, if the following conditions are met:

(A) The diversion works were completed 300 feet or less from the originally authorized point of diversion and within 150 feet of the location approved by the chief engineer; and

(B) a notice of completion was timely filed with the chief engineer under the original approval of application;

(4) an application requesting only an additional rate of diversion on an existing well, if the approval of the application meets the following requirements:

(A) Is limited to the maximum annual quantity of water authorized by a prior certified, vested, or appropriation right; and

(B) contains both of the following requirements:

(i) The approved application for additional rate shall be dismissed if the prior certified, vested, or appropriation right is dismissed and terminated; and

(ii) the approved or certified maximum annual quantity of water shall be reduced in an amount equal to any subsequent reduction in the maximum annual quantity of water authorized by the prior certified, vested, or appropriation right;

(5) an application for a standby well;

(6) an application for a bank storage well only to the extent that the bank storage well is withdrawing bank storage water; and

(7) an application for an aquifer storage and recovery well. (Authorized by and implementing K.S.A. 82a-706a and K.S.A. 2014 Supp. 82a-1028; effective May 1, 1983; amended Oct. 15, 1990; amended March 7, 1994; amended Nov. 12, 2004; amended May 14, 2010; amended June 12, 2015.)

David W. Barfield, P.E., Chief Engineer
Division of Water Resources

Doc. No. 043573

State of Kansas

State Corporation Commission

Permanent Administrative Regulations

Article 4.—MOTOR CARRIERS OF
PERSONS AND PROPERTY**82-4-3f. General motor carrier safety regulations.**

(a) With the following exceptions, 49 C.F.R. Part 390, as in effect on October 1, 2013, is hereby adopted by reference:

(1) The following revisions shall be made to 49 C.F.R. 390.3:

(A) The following revisions shall be made to paragraph (a):

(i) The phrase “subchapter B of this chapter” shall be deleted and replaced with “K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20.”

(ii) The phrase “or intrastate” shall be added after the word “interstate.”

(B) Paragraph (b) shall be deleted and replaced with the following: “The Kansas uniform commercial drivers’ license act, found at K.S.A. 8-2,125 et seq., is applicable to every person who operates a commercial motor vehicle, as defined in K.A.R. 82-4-1, in interstate or intrastate commerce and to all employers of such persons.”

(C) The following revisions shall be made to paragraph (c):

(i) The phrase “Part 387, Minimum Levels of Financial Responsibility for Motor Carriers” shall be deleted and replaced with “49 C.F.R. Part 387 as adopted by K.A.R. 82-4-3n.”

(ii) The phrase “§ 387.3 or § 387.27” shall be deleted and replaced with “49 C.F.R. 387.3 or 387.27 as adopted by K.A.R. 82-4-3n.”

(D) In paragraph (d), the phrase “subchapter B of this chapter” shall be deleted and replaced with “K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20.”

(E) In paragraph (e)(1), the phrase “all regulations contained in this subchapter” shall be deleted and replaced by “K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20.”

(F) In paragraph (e)(2), the phrase “all applicable regulations contained in this subchapter” shall be deleted and replaced by “K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20.”

(G) In paragraph (e)(3), both instances of the phrase “this subchapter” shall be deleted and replaced with “K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20.”

(H) In paragraph (f), the phrase “this subchapter” shall be deleted and replaced with “K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20.”

(I) In paragraph (f)(1), the phrase “§ 390.5, except for the provisions of §§ 391.15(f), 392.80, and 392.82 of this chapter” shall be deleted and replaced with “49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f, except for the provisions of 49 C.F.R. 391.15(f) as adopted by K.A.R. 82-4-3g and 49 C.F.R. 392.80 and 392.82 as adopted by K.A.R. 82-4-3h.”

(J) In paragraph (f)(6), the phrase “§§ 390.15, 390.19, 390.21(a) and (b)(2), 391.15(e) and (f), 392.80 and 392.82

of this chapter” shall be deleted and replaced with “49 C.F.R. 390.15, 390.19, 390.21(a) and (b)(2), as adopted by K.A.R. 82-4-3f, 49 C.F.R. 391.15(e) and (f) as adopted by K.A.R. 82-4-3g, and 49 C.F.R. 392.80 and 392.82 as adopted by K.A.R. 82-4-3h.”

(K) In paragraph (f)(7), the phrase “§ 390.5” shall be deleted and replaced with “49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f.”

(L) In paragraph (g), the phrase “of Subchapter B of this chapter” shall be deleted.

(M) Paragraph (g)(1) shall be deleted and replaced with the following: “(1) 49 C.F.R. Part 385, subparts A and E, as adopted by K.A.R. 82-4-3d, for carriers subject to the requirements of 49 C.F.R. 385.403, as adopted by K.A.R. 82-4-3d.”

(N) Paragraph (g)(2) shall be deleted.

(O) Paragraph (g)(3) shall be deleted and replaced with “49 C.F.R. Part 387, as adopted by K.A.R. 82-4-3n, to the extent provided in 49 C.F.R. 387.3 as adopted by K.A.R. 82-4-3n.”

(P) Paragraph (g)(4) shall be deleted.

(Q) The following revisions shall be made to paragraph (h):

(i) The phrase “of subchapter B of this chapter” shall be deleted.

(ii) Paragraph (1) shall be deleted and replaced with “Subpart F of 49 C.F.R. Part 385 as adopted by K.A.R. 82-4-3d.”

(iii) Paragraph (2) shall be deleted and replaced with “49 C.F.R. Part 386, Subpart F as adopted by K.A.R. 82-4-3o.”

(iv) Paragraph (3) shall be deleted and replaced with “49 C.F.R. Part 390 as adopted by K.A.R. 82-4-3f, except 49 C.F.R. 390.15(b) as adopted by K.A.R. 82-4-3f concerning accident registers.”

(v) Paragraph (4) shall be deleted and replaced with “49 C.F.R. Part 393 as adopted by K.A.R. 82-4-3i.”

(vi) Paragraph (5) shall be deleted and replaced with “49 C.F.R. Part 396 as adopted by K.A.R. 82-4-3j.”

(2) The following revisions shall be made to 49 C.F.R. 390.5:

(A) In the first paragraph, the phrase “this subchapter” shall be deleted and replaced with “K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20.”

(B) The following definitions shall be deleted:

- (i) Conviction;
- (ii) driveaway-towaway operation;
- (iii) exempt motor carrier;
- (iv) hazardous waste;
- (v) operator;
- (vi) other terms;
- (vii) secretary;
- (viii) state; and
- (ix) United States.

(C) In the definition of “commercial motor vehicle,” the phrase “or intrastate” shall be inserted following the term “interstate.”

(D) In the definition of “covered farm vehicle,” each instance of the phrase “§ 390.39” shall be deleted and replaced with “49 C.F.R. 390.39 as adopted by K.A.R. 82-4-3f.”

(continued)

(E) In the definition of "driving a commercial motor vehicle while under the influence of alcohol," the phrase "Table 1 to §383.51 or §392.5(a)(2) of this subchapter," shall be deleted and replaced with "K.S.A. 8-2,125 et seq. or 49 C.F.R. 392.5(a)(2) as adopted by K.A.R. 82-4-3h."

(F) In the definition of "exempt intracity zone," the following text shall be deleted: "of a municipality or the commercial zone of that municipality described in appendix F to subchapter B of this chapter. The term 'exempt intracity zone' does not include any municipality or commercial zone in the State of Hawaii." The deleted text shall be replaced by the following: "described in section 8 of 49 C.F.R. Subtitle B, Chapter III, Subchapter B, Appendix F, as adopted by K.A.R. 82-4-3f." The phrase "§ 391.62" shall be deleted and replaced with "49 C.F.R. 391.62 as adopted by K.A.R. 82-4-3g."

(G) In the definition of "farm vehicle driver," the phrase "§177.823 of this subtitle" shall be deleted and replaced with "49 C.F.R. 177.823 as adopted by K.A.R. 82-4-20."

(H) The definition of "for hire motor carrier" shall be deleted and replaced by the following: "For purposes of this regulation, 'for-hire motor carrier' shall have the same meaning as 'public motor carrier of household goods,' 'public motor carrier of passengers,' or 'public motor carrier of property,' as defined in K.S.A. 66-1,108 and amendments thereto."

(I) The definition of "gross combination weight rating (GCWR)" shall be deleted and replaced by the following: "'Gross combination vehicle weight rating (GCWR)' shall have the same meaning as defined in K.S.A. 66-1,108 and amendments thereto."

(J) The definition of "gross vehicle weight rating (GVWR)" shall be deleted and replaced by the following: "'Gross vehicle weight rating (GVWR)' shall have the same meaning as defined in K.S.A. 66-1,108 and amendments thereto."

(K) In the definition of "Hazardous material," the phrase "United States" shall be inserted immediately before the phrase "Secretary of Transportation."

(L) The following changes shall be made in the definition of "hazardous substance":

(i) Both instances of the phrase "§ 172.101" shall be deleted and replaced by "49 C.F.R. 172.101."

(ii) The first instance of the phrase "of this title" shall be deleted and replaced by "as adopted by K.A.R. 82-4-20."

(iii) The phrase "§ 171.8 of this title" shall be deleted and replaced by "49 C.F.R. 171.8, as adopted by K.A.R. 82-4-20."

(M) The definition of "highway" shall be deleted and replaced by the following: "'Highway' shall have the same meaning as 'public highway,' as defined by K.S.A. 66-1,108 and amendments thereto."

(N) The definition of "medical examiner" shall be deleted and replaced by the following: "'Medical examiner' means an individual certified by FMCSA and listed on the national registry of certified medical examiners in accordance with 49 C.F.R. Part 390, Subpart D."

(O) In the definition of "medical variance," the phrase "part 381, subpart C, of this chapter or §391.64 of this chapter" shall be deleted and replaced with "K.A.R.

82-4-6d or 49 C.F.R. 391.64 as adopted by K.A.R. 82-4-3g." The phrase "§ 391.49" shall be deleted and replaced with "49 C.F.R. 391.49 as adopted by K.A.R. 82-4-3g."

(P) The definition of "motor carrier" shall be deleted and replaced by the following: "'Motor carrier' shall have the same meaning as defined in K.S.A. 66-1,108 and amendments thereto."

(Q) The definition of "motor vehicle" shall be deleted and replaced by the following: "'Motor vehicle' shall have the same meaning as defined in K.S.A. 66-1,108 and amendments thereto."

(R) The definition of "out of service order" shall be deleted.

(S) The definition of "person" shall be deleted and replaced by the following: "'Person' shall have the same meaning as defined in K.S.A. 66-1,108 and amendments thereto."

(T) The following revisions shall be made to the definition of "principal place of business":

(i) The phrase "parts 382, 387, 390, 391, 395, 396, and 397 of this subchapter" shall be deleted and replaced by "K.A.R. 82-4-3a, K.A.R. 82-4-3c, K.A.R. 82-4-3f, K.A.R. 82-4-3g, K.A.R. 82-4-3j, K.A.R. 82-4-3k, and K.A.R. 82-4-3n."

(ii) The first instance of the term "Federal" shall be deleted.

(iii) The phrase "of the Federal Motor Carrier Safety Administration" shall be deleted.

(U) The following sentence shall be inserted before the definition of "radar detector": "'Private motor carrier of passengers' shall have the same meaning as defined in K.S.A. 66-1,108 and amendments thereto."

(V) The definition of "Special agent" shall be deleted and replaced by the following: "'Special agent or authorized representative means an authorized representative of the commission, and members of the highway patrol or any other law enforcement officer in the state who is certified in the inspection of motor carriers based on the motor carrier safety assistance program standards."

(W) In the definition of "use a hand-held mobile telephone," the phrase "as adopted by K.A.R. 82-4-3i" shall be inserted after the phrase "49 C.F.R. 393.93."

(3) 49 C.F.R. 390.7 and 49 C.F.R. 390.9 shall be deleted.

(4) In 49 C.F.R. 390.11, the phrase "part 325 of subchapter A or in this subchapter" shall be deleted and replaced by "K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20."

(5) In 49 C.F.R. 390.13, the phrase "violate the rules of this chapter" shall be deleted and replaced by "operate in Kansas in a manner which violates any order, decision, or regulation of the commission."

(6) The following revisions shall be made to 49 C.F.R. 390.15:

(A) In paragraph (a)(1), the phrase "of the Federal Motor Carrier Safety Administration, an authorized State or local enforcement agency representative or authorized third party representative" shall be deleted.

(B) In paragraph (b)(1), the phrase "§ 390.5 of this chapter" shall be deleted and replaced by "49 C.F.R. 390.5, as adopted by K.A.R. 82-4-3f."

(7) The following revisions shall be made to 49 C.F.R. 390.19:

(A) In paragraph (a)(1), the phrase "interstate commerce" shall be deleted and replaced by "Kansas."

(B) In paragraph (a)(2), the phrase "as adopted by K.A.R. 82-4-3d," shall be inserted following "49 C.F.R. part 385, subpart E." The phrase "of this chapter" shall be deleted.

(C) Paragraph (b) shall be deleted and replaced by the following: "The Form MCS-150 shall contain the following information:

"(1) The USDOT number assigned to the carrier;

"(2) the legal name of the motor carrier;

"(3) the trade or 'doing business as' name of the motor carrier, if applicable;

"(4) the street address of the motor carrier, including city, state, and zip code;

"(5) the mailing address of the motor carrier, including city, state, and zip code;

"(6) the motor carrier's principal telephone number and facsimile number;

"(7) whether the motor carrier conducts intrastate only carriage of hazardous materials or intrastate carriage of non-hazardous materials;

"(8) the motor carrier's mileage, rounded to the nearest 10,000, for the last calendar year;

"(9) the type of operations the motor carrier conducts;

"(10) the classification of cargo that the motor carrier transports;

"(11) the hazardous materials transported by the motor carrier;

"(12) the type of equipment owned or leased or both for transporting property or passengers;

"(13) the number of drivers that operate within a 100-mile radius of the carrier's principal place of business;

"(14) the number of drivers that operate outside a 100-mile radius of the carrier's principal place of business;

"(15) the number of drivers with commercial drivers' licenses;

"(16) the total number of drivers; and

"(17) for Kansas-based, intrastate carriers, a signed and dated statement with the signatory's printed name and title, certifying that the signatory is familiar with the commission's safety regulations and that the information contained in the report is accurate."

(D) In paragraph (d), the term "agency's" shall be deleted and replaced by "FMCSA's." The following sentence shall be inserted after the last sentence in paragraph (d): "Kansas-based motor carriers may file the completed Form MCS-150 online at fmcsa.dot.gov or with the Kansas Corporation Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604."

(E) In paragraph (g), "the penalties prescribed in 49 U.S.C. 521(b)(2)(B)" shall be deleted and replaced by "civil penalties as provided in K.S.A. 66-1,142b."

(F) Paragraph (h) shall be deleted.

(8) The following revisions shall be made to 49 C.F.R. 390.21:

(A) In paragraph (a), each instance of "subject to subchapter B of this chapter" shall be deleted.

(B) In paragraph (b)(1), the phrase "§ 390.19" shall be deleted and replaced with "49 C.F.R. 390.19 as adopted by K.A.R. 82-4-3f."

(C) Paragraph (e)(2)(iii)(C) shall be deleted and replaced by the following: "A statement that the lessor cooperates with all relevant special agents and authorized representatives to provide the identity of customers who operate the rental commercial motor vehicles; and."

(D) The last sentence of paragraph (e)(2)(iv) shall be deleted.

(E) In paragraph (g)(1), the phrase "§390.5" shall be deleted and replaced by "49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f."

(F) In paragraph (g)(2), the phrase "subchapter B of this chapter" shall be deleted and replaced with "49 C.F.R. Subtitle B, Chapter III, Subchapter B as adopted by K.A.R. 82-4-3a through K.A.R. 82-4-3o."

(9) The following changes shall be made to 49 C.F.R. 390.23:

(A) In paragraphs (a), (a)(1)(i)(B), and (a)(2)(i)(B), the phrase "Parts 390 through 399 of this chapter" shall be deleted and replaced by "K.A.R. 82-4-3a, and K.A.R. 82-4-3f through K.A.R. 82-4-3o."

(B) In paragraph (a)(1)(ii), the phrase "§ 390.25" shall be deleted and replaced by "49 C.F.R. 390.25 as adopted by K.A.R. 82-4-3f."

(C) In paragraph (b), both instances of the phrase "parts 390 through 399 of this chapter" shall be deleted and replaced by "K.A.R. 82-4-3a, and K.A.R. 82-4-3f through K.A.R. 82-4-3o."

(D) In paragraph (c), the phrase "§§ 395.3(a) and (c) and 395.5(a) of this chapter" shall be deleted and replaced by "49 C.F.R. 395.3(a) and (c) and 49 C.F.R. 395.5(a), all as adopted by K.A.R. 82-4-3a."

(10) 49 C.F.R. 390.27 shall be deleted.

(11) The following revisions shall be made to 49 C.F.R. 390.29:

(A) In paragraph (a), the phrase "this subchapter" shall be deleted and replaced by "K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20."

(B) The following revisions shall be made to paragraph (b):

(i) The phrase "of the Federal Motor Carrier Safety Administration" shall be deleted.

(ii) The word "Federal" appearing in the last sentence shall be deleted.

(12) In 49 C.F.R. 390.33, the phrase "this subchapter and part 325 of subchapter A" shall be deleted and replaced by "K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20."

(13) The following revisions shall be made to 49 C.F.R. 390.35:

(A) In paragraph (a), the phrase "by part 325 of subchapter A or this subchapter" shall be deleted and replaced by "K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20."

(B) In paragraphs (b) and (c), the phrase "this subchapter or part 325 of subchapter A" shall be deleted and replaced by "K.A.R. 82-4-3a through K.A.R. 82-4-3o, and K.A.R. 82-4-20."

(14) 49 C.F.R. 390.37 shall be deleted.

(15) The following revisions shall be made to 49 C.F.R. 390.39:

(continued)

(A) In paragraph (a), the phrase “§ 390.5” shall be deleted and replaced with “49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f.”

(B) In paragraph (a)(1), the phrase “49 CFR Part 383 or controlled substances and alcohol use and testing in 49 CFR Part 382” shall be deleted and replaced with “the Kansas uniform commercial drivers’ license act, found at K.S.A. 8-2,125 et seq. or controlled substances and alcohol testing in 49 C.F.R. Part 382 as adopted by K.A.R. 82-4-3c.”

(C) In paragraph (a)(2), the phrase “49 CFR Part 391, Subpart E, Physical Qualifications and Examinations” shall be deleted and replaced with “49 C.F.R. Part 391, Subpart E as adopted by K.A.R. 82-4-3g.”

(D) In paragraph (a)(3), the phrase “49 CFR Part 395, Hours of Service of Drivers” shall be deleted and replaced with “49 C.F.R. Part 395 as adopted by K.A.R. 82-4-3a.”

(E) In paragraph (a)(4), the phrase “49 CFR Part 396, Inspection, Repair, and Maintenance” shall be deleted and replaced with “49 C.F.R. Part 396 as adopted by K.A.R. 82-4-3j.”

(F) Paragraph (b) shall be deleted.

(G) Paragraph (c) shall be deleted.

(16) The following revisions shall be made to 49 C.F.R. 390.40:

(A) In paragraph (a), the phrase “§ 390.19” shall be deleted and replaced with “49 C.F.R. 390.19 as adopted by K.A.R. 82-4-3f.”

(B) In paragraph (b), the phrase “§ 390.21” shall be deleted and replaced with “49 C.F.R. 390.21 as adopted by K.A.R. 82-4-3f.”

(C) In paragraph (c), the phrase “§ 396.3(a)(1)” shall be deleted and replaced with “49 C.F.R. 396.3(a)(1) as adopted by K.A.R. 82-4-3j.”

(D) In paragraph (e), the phrase “§ 396.11 of this chapter” shall be deleted and replaced with “49 C.F.R. 396.11 as adopted by K.A.R. 82-4-3j.”

(E) In paragraph (f), the phrase “§ 396.3(b)(3) of this chapter” shall be deleted and replaced with “49 C.F.R. 396.3(b)(3) as adopted by K.A.R. 82-4-3j.”

(F) In paragraph (g), the phrase “§ 396.17 of this chapter” shall be deleted and replaced with “49 C.F.R. 396.17 as adopted by K.A.R. 82-4-3j.”

(G) In paragraph (j), the phrase “as defined in § 386.72(b)(1) of this chapter” shall be deleted and replaced with “as defined in K.A.R. 82-4-3o.”

(17) The following revisions shall be made to 49 C.F.R. 390.42:

(A) In paragraph (a), the phrase “listed in §392.7(b) of this subchapter” shall be deleted and replaced by “specified in K.A.R. 82-4-3h.”

(B) In paragraph (b), the phrase “in § 396.11(b)(2) of this chapter” shall be deleted and replaced by “required by K.A.R. 82-4-3j.”

(18) The following revisions shall be made to 49 C.F.R. 390.44:

(A) The following revisions shall be made to paragraph (a):

(i) The phrase “listed in §392.7(b) of this chapter” shall be deleted and replaced by “specified in K.A.R. 82-4-3h.”

(ii) The phrase “pursuant to §392.7(b)” shall be deleted and replaced by “K.A.R. 82-4-3h.”

(B) The following revisions shall be made to paragraph (b):

(i) The phrase “listed in §392.7(b) of this chapter” shall be deleted and replaced by “adopted and specified in K.A.R. 82-4-3h.”

(ii) The phrase “with §392.7(b)” shall be deleted and replaced by “with K.A.R. 82-4-3h.”

(C) The following revisions shall be made to paragraph (c):

(i) The term “FMCSA” shall be deleted and replaced by “the commission.”

(ii) The phrase “49 U.S.C. 31151 or the implementing regulations in this subchapter regarding interchange of intermodal equipment by contacting the appropriate FMCSA Field Office” shall be deleted and replaced by “K.A.R. 82-4-3a through K.A.R. 82-4-3o and K.A.R. 82-4-20 by filing a written complaint with the commission by: fax— 785-271-3124; email: trucking_complaint_questions@kcc.ks.gov; or by mail addressed to: 1500 SW Arrowhead Rd, Topeka, KS 66604-3124. The commission may also be contacted by phone number: 785.271.3145, select option one.”

(19) 49 C.F.R. 390.46 shall be deleted.

(20) 49 C.F.R. Part 390, Subpart D shall be deleted.

(21) 49 C.F.R. Part 390, Subpart E shall be deleted.

(b) Section 8 of 49 C.F.R. Subtitle B, Chapter III, Subchapter B, Appendix F, as in effect on October 1, 2013, is hereby adopted by reference.

(c) Whenever the federal regulations adopted in this regulation refer to portions of the federal regulations or other operating standards that are not already adopted by reference in article 4 of the commission’s regulations, the references shall not be applicable to this regulation unless otherwise specifically adopted. (Authorized by and implementing K.S.A. 2014 Supp. 66-1,112, K.S.A. 66-1,112g, and K.S.A. 2014 Supp. 66-1,129; effective, T-82-12-29-04, Dec. 29, 2004; effective April 29, 2005; amended Oct. 2, 2009; amended Oct. 8, 2010; amended Nov. 14, 2011; amended Sept. 20, 2013; amended June 12, 2015.)

82-4-3g. Qualifications of drivers. (a) With the following exceptions, 49 C.F.R. Part 391, as in effect on October 1, 2013, is hereby adopted by reference:

(1) In 49 C.F.R. 391.1, the phrase “this part” shall be deleted and replaced with “49 C.F.R. Part 391 as adopted by K.A.R. 82-4-3g.”

(2) The following revisions shall be made to 49 C.F.R. 391.2:

(A) In paragraph (a), the phrase “§ 391.15(e)” shall be deleted and replaced with “49 C.F.R. 391.15(e) as adopted by K.A.R. 82-4-3g.”

(B) In paragraph (b), the phrase “§ 391.15(e) and (f)” shall be deleted and replaced with “49 C.F.R. 391.15(e) and (f) as adopted by K.A.R. 82-4-3g.”

(C) The following revisions shall be made to paragraph (c):

(i) The phrase “§ 391.15(e) and (f)” shall be deleted and replaced with “49 C.F.R. 391.15(e) and (f) as adopted by K.A.R. 82-4-3g.”

(ii) The phrase “§ 390.5 of this chapter” shall be deleted and replaced with “49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f.”

(iii) The phrase “§ 391.67” shall be deleted and replaced with “49 C.F.R. 391.67 as adopted by K.A.R. 82-4-3g.”

(D) The following revisions shall be made to paragraph (d):

(i) The phrase “part 391, Subpart E” shall be deleted and replaced with “49 C.F.R. Part 391, Subpart E as adopted by K.A.R. 82-4-3g.”

(ii) The phrase “49 CFR 390.5” shall be deleted and replaced with “49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f.”

(3) The following revisions shall be made to 49 C.F.R. 391.11:

(A) In paragraph (a), the phrase “§ 391.63” shall be deleted and replaced with “49 C.F.R. 391.63 as adopted by K.A.R. 82-4-3g.”

(B) In paragraph (b), the phrase “subpart G of this part” shall be deleted and replaced with “Subpart G of 49 C.F.R. Part 391 as adopted by K.A.R. 82-4-3g.”

(C) 49 C.F.R. 391.11(b)(1) shall apply only to commercial motor vehicle operations in interstate commerce.

(D) In paragraph (b)(4), the phrase “subpart E—Physical Qualifications and Examinations of this part” shall be deleted and replaced with “Subpart E of 49 C.F.R. Part 391 as adopted by K.A.R. 82-4-3g.”

(E) In paragraph (b)(6), the phrase “§ 391.27” shall be deleted and replaced with “49 C.F.R. 391.27 as adopted by K.A.R. 82-4-3g.”

(F) In paragraph (b)(7), the phrase “§ 391.15” shall be deleted and replaced with “49 C.F.R. 391.15 as adopted by K.A.R. 82-4-3g.”

(G) In paragraph (b)(8), the phrase “§ 391.31” shall be deleted and replaced with “49 C.F.R. 391.31 as adopted by K.A.R. 82-4-3g,” and the phrase “§ 391.33” shall be deleted and replaced with “49 C.F.R. 391.33 as adopted by K.A.R. 82-4-3g.”

(4) In 49 C.F.R. 391.13, the phrase “§§ 392.9(a) and 393.9 of this subchapter” shall be deleted and replaced by “49 C.F.R. 392.9(a), as adopted by K.A.R. 82-4-3h, and 49 C.F.R. 393.9, as adopted by K.A.R. 82-4-3i.”

(5) The following revisions shall be made to 49 C.F.R. 391.15:

(A) In paragraphs (c)(1)(i) and (c)(2)(iii), each instance of “§ 395.2 of this subchapter” and “§ 395.2 of this part” shall be deleted and replaced by “49 C.F.R. 395.2, as adopted by K.A.R. 82-4-3a.”

(B) In paragraph (c)(2)(i)(C), the phrase “§ 391.15(c)(2)(i)(A) or (B), or § 392.5(a)(2)” shall be deleted and replaced by “49 C.F.R. 391.15(c)(2)(i)(A) or (B) as adopted by K.A.R. 82-4-3g or 49 C.F.R. 392.5(a)(2), as adopted by K.A.R. 82-4-3h.”

(C) In paragraphs (c)(2)(ii) and (iii), the phrase “as adopted by K.A.R. 82-4-3h (a)(2)(A)” shall be added after the phrase “21 C.F.R. 1308.11 Schedule I.”

(D) In paragraphs (e)(1), (e)(2)(i), and (e)(2)(ii), the phrase “§ 392.80(a)” shall be deleted and replaced with “49 C.F.R. 392.80(a) as adopted by K.A.R. 82-4-3h.”

(E) In paragraphs (f)(1), (f)(2)(i), and (f)(2)(ii), the phrase “§ 392.82(a)” shall be deleted and replaced with “49 C.F.R. 392.82(a) as adopted by K.A.R. 82-4-3h.”

(6) The following revisions shall be made to 49 C.F.R. 391.21:

(A) In paragraph (b)(10)(iv)(B), the term “DOT” shall be deleted and replaced by “commission,” and the phrase “as adopted by K.A.R. 82-4-3b” shall be inserted after the phrase “49 C.F.R. Part 40.”

(B) In paragraph (b)(11), the phrase “as defined by Part 383 of this subchapter” shall be deleted.

(C) In paragraph (d), the phrase “§ 391.23” shall be deleted and replaced with “49 C.F.R. 391.23 as adopted by K.A.R. 82-4-3g,” and the phrase “§ 391.23(i)” shall be deleted and replaced with “49 C.F.R. 391.23(i) as adopted by K.A.R. 82-4-3g.”

(7) The following changes shall be made to 49 C.F.R. 391.23:

(A) In paragraph (a), the phrase “subpart G of this part” shall be deleted and replaced with “Subpart G of 49 C.F.R. Part 391 as adopted by K.A.R. 82-4-3g.”

(B) In paragraph (a)(2), (h)(i)(1) and (h)(iii)(2), the term “U.S.” shall be inserted before the phrase “Department of Transportation.” The phrase “or commission” shall be inserted after the phrase “Department of Transportation.”

(C) In paragraph (b), the phrase “§ 391.51” shall be deleted and replaced with “49 C.F.R. 391.51 as adopted by K.A.R. 82-4-3g.”

(D) In paragraph (c)(2), the phrase “§ 391.53” shall be deleted and replaced with “49 C.F.R. 391.53 as adopted by K.A.R. 82-4-3g.”

(E) Paragraph (c)(3) shall be deleted and replaced by the following: “Prospective employers shall submit a report noting any failure of a previous employer to respond to an inquiry into a driver’s safety performance history to the commission.”

“(A) Reports shall be addressed to the Director, Transportation Division, Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, KS 66604.

“(B) Reports shall be submitted to the commission within 90 days after the inquiry was submitted to the previous employer.

“(C) Reports must be signed by the prospective employer submitting the report and must include the following information:

“(i) The name, address, and telephone number of the person who files the report;

“(ii) The name and address of the previous employer who has failed to respond to the inquiry into a driver’s safety performance history;

“(iii) A concise but complete statement of the facts, including the date the inquiry was sent to the previous employer, the method by which the inquiry was sent, and the dates of any follow-up communications with the previous employer.”

(F) In paragraphs (c)(4), (e), and (g)(1), the term “U.S.” shall be inserted before the term “DOT” and the phrase “or commission” shall be inserted after the term “DOT.”

(G) In paragraph (d)(2), the phrase “§ 390.15(b)(1) of this chapter” shall be deleted and replaced by “49 C.F.R. 390.15(b)(1), as adopted by K.A.R. 82-4-3f.”

(H) In paragraph (d)(2)(i), the phrase “§ 390.5 of this chapter” shall be deleted and replaced by “49 C.F.R. 390.5, as adopted by K.A.R. 82-4-3f.”

(continued)

(I) In paragraph (d)(2)(ii), the phrase “§ 390.15(b)(2)” shall be deleted and replaced by “49 C.F.R. 390.15(b)(2), as adopted by K.A.R. 82-4-3f.”

(J) In paragraph (e), the phrase “,” as adopted by K.A.R. 82-4-3b” shall be added at the end of the last sentence.

(K) In paragraph (e)(1), the phrase “part 382 of this subchapter” shall be deleted and replaced by “49 C.F.R. part 382, as adopted by K.A.R. 82-4-3c.” The phrase “,” as adopted by K.A.R. 82-4-3b” shall be inserted at the end of the last sentence.

(L) In paragraph (e)(2), the phrase “§ 382.605 of this chapter” shall be deleted and replaced by “49 C.F.R. 382.605, as adopted by K.A.R. 82-4-3c.” The phrase “part 40, subpart O” shall be deleted and replaced by “40.281 through 49 C.F.R. 40.313, as adopted by K.A.R. 82-4-3b.”

(M) In paragraph (e)(3), the phrase “§ 382.605” shall be deleted and replaced with “49 C.F.R. 382.605, as adopted by K.A.R. 82-4-3c.” The phrase “part 40, subpart O” shall be deleted and replaced by “49 C.F.R. 40.281 through 40.313, as adopted by K.A.R. 82-4-3b.”

(N) In paragraph (f), the term “§ 40.321(b)” shall be deleted and replaced by “49 C.F.R. 40.321(b), as adopted by K.A.R. 82-4-3b.”

(O) In paragraph (j)(6), the following changes shall be made:

(i) In the first sentence, the comma following the phrase “safety performance information” shall be deleted, and the following text shall be inserted at the end of the first sentence: “if the previous employer is an interstate motor carrier, the driver may submit a complaint.”

(ii) The term “§ 386.12” shall be deleted and replaced with “K.A.R. 82-4-3g(a)(7)(E).”

(iii) The following sentence shall be inserted at the end of the paragraph: “If the motor carrier is a Kansas-based interstate motor carrier, or an intrastate motor carrier, the driver may submit such report in writing to Director, Transportation Division, Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, KS 66604.”

(P) In paragraph (m)(1), the phrase “§ 391.43” shall be deleted and replaced with “49 C.F.R. 391.43 as adopted by K.A.R. 82-4-3g.”

(Q) In paragraph (m)(2), the phrase “part 383 of this chapter” shall be deleted and replaced with “the Kansas uniform commercial drivers’ license act, found at K.S.A. 8-2,125 et seq.”

(R) In paragraph (m)(2)(i)(A), the phrase “in accordance with §§ 383.71(a)(1)(ii) and 383.71(g) of this chapter” shall be deleted.

(S) In paragraph (m)(2)(i)(C), the phrase “in accordance with § 383.73(a)(5) of this chapter” shall be deleted.

(8) The following revisions shall be made to 49 C.F.R. 391.25:

(A) In paragraphs (a) and (b), the phrase “subpart G of this part” shall be deleted and replaced with “49 C.F.R. Part 391, Subpart G as adopted by K.A.R. 82-4-3g.”

(B) In paragraph (b), the phrase “§ 391.15” shall be deleted and replaced with “49 C.F.R. 391.15 as adopted by K.A.R. 82-4-3g.”

(C) In paragraph (b)(1), the phrase “Federal Motor Carrier Safety Regulations in this subchapter or hazardous materials regulations (49 CFR chapter 1, subchapter C)” shall be deleted and replaced by “commission motor carrier safety regulations as adopted by K.A.R. 82-4-20, or any Federal Motor Carrier Safety Regulations or Hazardous Materials Regulations, as adopted by article 4 of the commission’s regulations, occurring in interstate commerce.”

(9) The following revisions shall be made to 49 C.F.R. 391.27:

(A) In paragraph (a), the words “this part” shall be deleted and replaced with “49 C.F.R. Part 391 as adopted by K.A.R. 82-4-3g.”

(B) In paragraph (c), the words “be prescribed by the motor carrier. The following form may be used to comply with this section” shall be deleted and replaced by “read substantially as follows.”

(C) Paragraph (e) shall be deleted.

(10) The following revisions shall be made to 49 C.F.R. 391.31:

(A) In paragraph (a), the phrase “of 49 C.F.R. Part 391 as adopted by K.A.R. 82-4-3g” shall be added after the phrase “subpart G.”

(B) In 49 C.F.R. 391.31(c)(1), the phrase “§ 392.7 of this subchapter” shall be deleted and replaced with “49 C.F.R. 392.7 as adopted by K.A.R. 82-4-3h.”

(11) The following revisions shall be made to 49 C.F.R. 391.33:

(A) In paragraph (a), the phrase “§ 391.31” shall be deleted and replaced with “49 C.F.R. 391.31 as adopted by K.A.R. 82-4-3g.”

(B) In paragraph (a)(1), the phrase “§ 383.5 of this subchapter” shall be deleted and replaced by “K.S.A. 8-234b and amendments thereto.”

(C) In paragraph (a)(2), the phrase “§ 391.31” shall be deleted and replaced with “49 C.F.R. 391.31 as adopted by K.A.R. 82-4-3g.”

(12) The following revisions shall be made to 49 C.F.R. 391.41:

(A) The following revisions shall be made to paragraph (a)(2)(i):

(i) The phrase “part 383 of this chapter” shall be deleted and replaced with “the Kansas uniform commercial drivers’ license act, found at K.S.A. 8-2,125 et seq.”

(ii) The phrase “in accordance with § 383.71(h) of this chapter” shall be deleted.

(iii) The phrase “§ 391.43(h)” shall be deleted and replaced with “49 C.F.R. 391.43(h) as adopted by K.A.R. 82-4-3g.”

(B) In paragraph (a)(2)(ii), the phrase “by § 383.71(h)” shall be deleted. The phrase “medical variance” shall be deleted and replaced with “medical waiver,” and the phrase “FMCSA” shall be deleted and replaced with “the commission.”

(C) In paragraphs (a)(3)(i) and (ii), the phrase “§ 391.43” shall be deleted and replaced with “49 C.F.R. 391.43 as adopted by K.A.R. 82-4-3g.”

(D) In paragraphs (b)(1) and (b)(2)(ii), the phrase “§ 391.49” shall be deleted and replaced with “49 C.F.R. 391.49 as adopted by K.A.R. 82-4-3g.”

(E) In paragraph (b)(11), the clause “when the audiometric device is calibrated to American National Standard (formerly ASA Standard) Z24.5 1951” shall be deleted.

(F) In paragraph (b)(12)(i), the phrase “as adopted by K.A.R. 82-4-3h” shall be added after the phrase “21 C.F.R. 1308.11 Schedule I.”

(G) In paragraph (b)(12)(ii), the phrase “licensed medical practitioner, as defined in § 382.107” shall be deleted and replaced with “licensed medical examiner, as defined in K.A.R. 82-4-1.”

(13) The following changes shall be made to 49 C.F.R. 391.43:

(A) The following revisions shall be made to paragraph (a):

(i) The phrase “§ 391.42” shall be deleted and replaced with “49 C.F.R. 391.42 as adopted by K.A.R. 82-4-3g.”

(ii) The phrase “subpart D of part 390 of this chapter” shall be deleted and replaced with “subpart D of 49 C.F.R. Subtitle B, Chapter III, Subchapter B, Part 390.”

(B) In paragraph (b), the phrase “§ 391.41(b)” shall be deleted and replaced with “49 C.F.R. 391.41(b) as adopted by K.A.R. 82-4-3g.”

(C) In paragraph (d), the phrase “§ 391.62” shall be deleted and replaced with “49 C.F.R. 391.62 as adopted by K.A.R. 82-4-3g.”

(D) In paragraph (e), the phrase “§ 391.64” shall be deleted and replaced with “49 C.F.R. 391.64 as adopted by K.A.R. 82-4-3g.”

(E) The last sentence of paragraph (f) shall be deleted.

(F) In the portion titled “Extremities” in paragraph (f), the words “Field Service Center of the FMCSA, for the State in which the driver has legal residence” shall be deleted and replaced by “commission.”

(G) In paragraph (g)(2), the phrase “§ 391.41(b)” shall be deleted and replaced with “49 C.F.R. 391.41(b) as adopted by K.A.R. 82-4-3g.”

(H) The editorial note found after paragraph (i) shall be deleted.

(14) The following revisions shall be made to 49 C.F.R. 391.45:

(A) In the first paragraph, the phrase “§ 391.67” shall be deleted and replaced with “49 C.F.R. 391.67 as adopted by K.A.R. 82-4-3g.” The phrase “§ 391.43” shall be deleted and replaced with “49 C.F.R. 391.43 as adopted by K.A.R. 82-4-3g.”

(B) In paragraph (b)(2), the phrase “§ 391.62” shall be deleted and replaced with “49 C.F.R. 391.62 as adopted by K.A.R. 82-4-3g.” The phrase “§ 391.64” shall be deleted and replaced with “49 C.F.R. 391.64 as adopted by K.A.R. 82-4-3g.”

(15) The following revisions shall be made to 49 C.F.R. 391.47:

(A) Paragraph (b)(8) shall be deleted.

(B) In paragraph (b)(9), the words “or intrastate” shall be inserted following the word “interstate.”

(C) In paragraphs (c) and (d), the phrase “Director, Office of Carrier, Driver and Vehicle Safety Standards (MC-PS)” shall be deleted and replaced by the phrase “director of the commission’s transportation division.”

(D) The last two sentences of paragraph (e) shall be deleted and replaced by the following sentence: “Petitions shall be filed in accordance with K.A.R. 82-1-235 and K.S.A. 77-601 et seq.”

(E) In paragraph (f), the first two occurrences of the phrase “Director, Office of Carrier, Driver and Vehicle Safety Standards (MC-PS)” shall be deleted and replaced by the phrase “director of the commission’s transportation division.” The clause “or until the Director, Office of Carrier, Driver and Vehicle Safety Standards (MC-PS) orders otherwise” shall be deleted and replaced with “or orders otherwise.”

(16) The following revisions shall be made to 49 C.F.R. 391.49:

(A) In paragraph (a), the phrase “§ 391.41(b)(1) or (b)(2)” shall be deleted and replaced with “49 C.F.R. 391.41(b)(1) or (b)(2) as adopted by K.A.R. 82-4-3g.”

(B) The phrase “Division Administrator, FMCSA” in paragraph (a) and the phrase “State Director, FMCSA” in paragraphs (g), (h), (j)(1), and (k) shall be deleted and replaced by “director of the commission’s transportation division.”

(C) The remainder of paragraph (b)(2) after “The application must be addressed to” shall be deleted and replaced by “: Director of the Transportation Division, Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, KS 66604.”

(D) In paragraph (b)(3), “field service center, FMCSA, for the state in which the driver has legal residence” shall be deleted and replaced by “director of the commission’s transportation division at the address provided in paragraph (b)(2).”

(E) Paragraph (c)(2)(i) shall be deleted.

(F) The following revisions shall be made to paragraph (d):

(i) In paragraph (d)(1), the phrase “§ 391.43” shall be deleted and replaced with “49 C.F.R. 391.43 as adopted by K.A.R. 82-4-3g.”

(ii) In paragraph (d)(2), the phrase “§ 391.43(h)” shall be deleted and replaced with “49 C.F.R. 391.43(h) as adopted by K.A.R. 82-4-3g.”

(iii) In paragraph (d)(3)(i), the phrase “§ 391.41(b)(1)” shall be deleted and replaced with “49 C.F.R. 391.41(b)(1) as adopted by K.A.R. 82-4-3g.”

(iv) In paragraph (d)(3)(ii), the phrase “§ 391.41(b)(2)” shall be deleted and replaced with “49 C.F.R. 391.41(b)(2) as adopted by K.A.R. 82-4-3g.”

(v) In paragraph (d)(5)(i), the phrase “§ 391.31(b)” shall be deleted and replaced with “49 C.F.R. 391.31(b) as adopted by K.A.R. 82-4-3g.”

(vi) In paragraph (d)(6)(i), the phrase “§ 391.21” shall be deleted and replaced with “49 C.F.R. 391.21 as adopted by K.A.R. 82-4-3g.”

(G) The phrase “Medical Program Specialist, FMCSA service center” in paragraph (e)(1), the words “Medical Program Specialist, FMCSA for the State in which the carrier’s principal place of business is located” in paragraph (e)(1)(i), and the words “Medical Program Specialist, FMCSA service center, for the State in which the driver has legal residence” in paragraph (e)(1)(ii) shall be de-

(continued)

leted and replaced by "director of the transportation division of the commission."

(H) In paragraph (i), the words between "submitted to the" and "The SPE certificate renewal application" shall be deleted and replaced by "director of the transportation division of the commission."

(I) In paragraph (i)(8), the phrase "§391.41(b)(1)" shall be deleted and replaced with "49 C.F.R. 391.41(b)(1) as adopted by K.A.R. 82-4-3g" and the phrase "§391.41(b)(2)" shall be deleted and replaced with "49 C.F.R. 391.41(b)(2) as adopted by K.A.R. 82-4-3g."

(J) In paragraph (j)(1), the first two sentences shall be deleted.

(K) The following revisions shall be made to paragraph (j)(2):

(i) The words "State Director, FMCSA, for the State where the driver applicant has legal residence" shall be deleted and replaced by "director of the transportation division of the commission."

(ii) The phrase "subchapter B of the Federal Motor Carrier Safety Regulations (FMCSRs)" shall be deleted and replaced by the phrase "as adopted by K.A.R. 82-4-3g."

(iii) The term "FMCSRs" shall be deleted and replaced by "commission's regulations regarding motor carrier safety."

(17) The following revisions shall be made to 49 C.F.R. 391.51:

(A) In paragraph (b)(1), the phrase "§ 391.21" shall be deleted and replaced with "49 C.F.R. 391.21 as adopted by K.A.R. 82-4-3g."

(B) In paragraph (b)(2), the phrase "§ 391.23(a)(1)" shall be deleted and replaced with "49 C.F.R. 391.23(a)(1) as adopted by K.A.R. 82-4-3g."

(C) In paragraph (b)(3), the phrase "§ 391.31(e)" shall be deleted and replaced with "49 C.F.R. 391.31(e) as adopted by K.A.R. 82-4-3g." The phrase "§ 391.33" shall be deleted and replaced with "49 C.F.R. 391.33 as adopted by K.A.R. 82-4-3g."

(D) In paragraph (b)(4), the phrase "§ 391.25(a)" shall be deleted and replaced with "49 C.F.R. 391.25(a) as adopted by K.A.R. 82-4-3g."

(E) In paragraph (b)(5), the phrase "§ 391.25(c)(2)" shall be deleted and replaced with "49 C.F.R. 391.25(c)(2) as adopted by K.A.R. 82-4-3g."

(F) In paragraph (b)(6), the phrase "§ 391.27" shall be deleted and replaced with "49 C.F.R. 391.27 as adopted by K.A.R. 82-4-3g."

(G) In paragraph (b)(7)(i), the phrase "§ 391.43(g)" shall be deleted and replaced with "49 C.F.R. 391.43(g) as adopted by K.A.R. 82-4-3g."

(H) In paragraph (b)(7)(ii), the phrase "defined at § 384.105 of this chapter" shall be deleted.

(I) In paragraph (b)(7)(iii), the phrase "§ 391.51(b)(8)" shall be deleted and replaced with "49 C.F.R. 391.51(b)(8) as adopted by K.A.R. 82-4-3g."

(J) The following revisions shall be made to paragraph (b)(8):

(i) The phrase "Field Administrator, Division Administrator, or State Director" shall be deleted and replaced by "the director of the transportation division of the commission."

(ii) The phrase "§ 391.49" shall be deleted and replaced with "49 C.F.R. 391.49 as adopted by K.A.R. 82-4-3g."

(iii) The phrase "or under K.A.R. 82-4-6d" shall be added at the end of the paragraph.

(K) In paragraph (d)(1), the phrase "§ 391.25(a)" shall be deleted and replaced with "49 C.F.R. 391.25(a) as adopted by K.A.R. 82-4-3g."

(L) In paragraph (d)(2), the phrase "§ 391.25(c)(2)" shall be deleted and replaced with "49 C.F.R. 391.25(c)(2) as adopted by K.A.R. 82-4-3g."

(M) In paragraph (d)(3), the phrase "§ 391.27" shall be deleted and replaced with "49 C.F.R. 391.27 as adopted by K.A.R. 82-4-3g."

(N) In paragraph (d)(4), the phrase "§ 391.43(g)" shall be deleted and replaced with "49 C.F.R. 391.43(g) as adopted by K.A.R. 82-4-3g." The phrase "§ 391.51(b)(7)(ii)" shall be deleted and replaced with "49 C.F.R. 391.51(b)(7)(ii) as adopted by K.A.R. 82-4-3g."

(O) Paragraph (d)(5) shall be deleted and replaced with the following: "Any medical waiver issued by the commission, including a Skill Performance Evaluation Certificate issued in accordance with 49 C.F.R. 391.49 as adopted by K.A.R. 82-4-3g, or the Medical Exemption letter issued by a Federal medical program in accordance with 49 C.F.R. Part 381."

(P) In paragraph (d)(6), the phrase "§ 391.23(m)" shall be deleted and replaced with "49 C.F.R. 391.23(m) as adopted by K.A.R. 82-4-3g."

(18) The following revisions shall be made to 49 C.F.R. 391.53:

(A) In paragraph (a), the phrase "§ 391.23" shall be deleted and replaced with "49 C.F.R. 391.23 as adopted by K.A.R. 82-4-3g."

(B) In paragraph (b)(1), the phrase "§ 391.23(d)" shall be deleted and replaced with "49 C.F.R. 391.23(d) as adopted by K.A.R. 82-4-3g."

(C) In paragraph (b)(2), the phrase "§ 391.23" shall be deleted and replaced with "49 C.F.R. 391.23 as adopted by K.A.R. 82-4-3g."

(19) In 49 C.F.R. 391.55, the text "as in effect on October 1, 2013, which are hereby adopted by reference" shall be inserted at the end of paragraph (b)(1).

(20) The following revisions shall be made to 49 C.F.R. 391.61:

(A) The phrase "§ 391.21" shall be deleted and replaced with "49 C.F.R. 391.21 as adopted by K.A.R. 82-4-3g."

(B) The phrase "§ 391.23" shall be deleted and replaced with "49 C.F.R. 391.23 as adopted by K.A.R. 82-4-3g."

(C) The phrase "§ 391.33" shall be deleted and replaced with "49 C.F.R. 391.33 as adopted by K.A.R. 82-4-3g."

(D) The phrase "§ 390.5 of this subchapter" shall be deleted and replaced with "49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f."

(21) The following revisions shall be made to 49 C.F.R. 391.62:

(A) In the first paragraph, the phrase "§§ 391.11(b)(1) and 391.41(b)(1) through (b)(11)" shall be deleted and re-

placed with "49 C.F.R. 391.11(b)(1) and 391.41(b)(1) through (b)(11) as adopted by K.A.R. 82-4-3g."

(B) In paragraph (c), the phrase ", as adopted by K.A.R. 82-4-3f" shall be added after the phrase "49 C.F.R. 390.5."

(C) In paragraph (d), the phrase "under regulations issued by the Secretary under 49 U.S.C. chapter 51" shall be deleted and replaced by "under the regulations adopted by K.A.R. 82-4-20."

(D) In paragraph (e)(1), the phrase "Federal Motor Carrier Safety Regulations contained in this subchapter" shall be deleted and replaced by "commission's motor carrier regulations found in Article 4."

(22) The following revisions shall be made to 49 C.F.R. 391.63:

(A) In paragraph (a), the phrase "§ 390.5 of this subchapter" shall be deleted and replaced with "49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f."

(B) In paragraph (a)(1), the phrase "§ 391.21" shall be deleted and replaced with "49 C.F.R. 391.21 as adopted by K.A.R. 82-4-3g."

(C) In paragraph (a)(2), the phrase "§ 391.23" shall be deleted and replaced with "49 C.F.R. 391.23 as adopted by K.A.R. 82-4-3g."

(D) In paragraph (a)(3), the phrase "§ 391.25(a)" shall be deleted and replaced with "49 C.F.R. 391.25(a) as adopted by K.A.R. 82-4-3g."

(E) In paragraph (a)(4), the phrase "§ 391.25(b)" shall be deleted and replaced with "49 C.F.R. 391.25(b) as adopted by K.A.R. 82-4-3g."

(F) In paragraph (a)(5), the phrase "§ 391.27" shall be deleted and replaced with "49 C.F.R. 391.27 as adopted by K.A.R. 82-4-3g."

(23) 49 C.F.R. 391.64 shall be revised as follows:

(A) In paragraph (a), the phrase "§ 391.41(b)(3)" shall be deleted and replaced with "49 C.F.R. 391.41(b)(3) as adopted by K.A.R. 82-4-3g."

(B) In paragraph (a)(1)(i), the phrase "§ 391.41" shall be deleted and replaced with "49 C.F.R. 391.41 as adopted by K.A.R. 82-4-3g."

(C) In paragraph (a)(2)(iii), the phrase "an authorized agent of the FMCSA" shall be deleted and replaced by "the director of the transportation division of the commission."

(D) In paragraphs (a)(2)(v) and (b)(3), the phrase "duly authorized federal, state or local enforcement official" shall be deleted and replaced by the phrase "any authorized representative of the commission, and any member of the Kansas highway patrol or any other law enforcement officer in the state who has been certified in the inspection of motor carriers based on the motor carrier safety assistance program standards."

(E) In paragraph (b), the phrase "§ 391.41(b)(10)" shall be deleted and replaced with "49 C.F.R. 391.41(b)(10) as adopted by K.A.R. 82-4-3g."

(F) In paragraph (b)(1)(i), the phrase "§ 391.41" shall be deleted and replaced with "49 C.F.R. 391.41 as adopted by K.A.R. 82-4-3g."

(24) The form set out in 49 C.F.R. 391.65 shall be revised as follows:

(A) The phrase "as adopted by K.A.R. 82-4-3f" shall be added after the phrase "§ 390.5."

(B) The phrase "Federal Motor Carrier Safety Regulations" shall be deleted and replaced by the phrase "as adopted by K.A.R. 82-4-3g."

(25) The following revisions shall be made to 49 C.F.R. 391.67:

(A) The phrase "§ 390.5 of this subchapter" shall be deleted and replaced with "49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f."

(B) Paragraph (a) shall be deleted and replaced with the following: "49 C.F.R. 391.11(b)(1), (b)(6) and (b)(8) as adopted by K.A.R. 82-4-3g."

(C) Paragraph (b) shall be deleted and replaced with the following: "Subpart C of 49 C.F.R. Part 391 as adopted by K.A.R. 82-4-3g."

(D) Paragraph (c) shall be deleted and replaced with the following: "Subpart D of 49 C.F.R. Part 391 as adopted by K.A.R. 82-4-3g."

(E) Paragraph (d) shall be deleted and replaced with the following: "Subpart F of 49 C.F.R. Part 391 as adopted by K.A.R. 82-4-3g."

(26) The following revisions shall be made to 49 C.F.R. 391.68:

(A) In paragraph (a), the phrase "Section 391.11(b)(1), (b)(6) and (b)(8)" shall be deleted and replaced with "49 C.F.R. 391.11(b)(1), (b)(6) and (b)(8) as adopted by K.A.R. 82-4-3g."

(B) In paragraph (b), the phrase "Subpart C" shall be deleted and replaced with "49 C.F.R. 391.21 through 391.27 as adopted by K.A.R. 82-4-3g."

(C) In paragraph (c), the phrase "§§ 391.41 and 391.45" shall be deleted and replaced with "49 C.F.R. 391.41 and 391.45 as adopted by K.A.R. 82-4-3g."

(D) In paragraph (d), the phrase "Subpart F" shall be deleted and replaced with "49 C.F.R. 391.51 through 391.55 as adopted by K.A.R. 82-4-3g."

(27) The following revisions shall be made to 49 C.F.R. 391.69:

(A) The phrase "§ 391.21" shall be deleted and replaced with "49 C.F.R. 391.21 as adopted by K.A.R. 82-4-3g."

(B) The phrase "§ 391.23" shall be deleted and replaced with "49 C.F.R. 391.23 as adopted by K.A.R. 82-4-3g."

(C) The phrase "§ 391.31" shall be deleted and replaced with "49 C.F.R. 391.31 as adopted by K.A.R. 82-4-3g."

(D) The phrase "§ 390.5 of this subchapter" shall be deleted and replaced by "49 C.F.R. 390.5, as adopted by K.A.R. 82-4-3f."

(b) Whenever the federal regulations adopted in this regulation refer to portions of the federal regulations or other operating standards that are not already adopted by reference in article 4 of the commission's regulations, the references shall not be applicable to this regulation unless otherwise specifically adopted. (Authorized by and implementing K.S.A. 2014 Supp. 66-1,112, K.S.A. 66-1,112g, and K.S.A. 2014 Supp. 66-1,129; effective, T-82-12-29-04, Dec. 29, 2004; effective April 29, 2005; amended Oct. 2, 2009; amended Nov. 14, 2011; amended Sept. 20, 2013; amended June 12, 2015.)

Amy L. Gilbert
Secretary

Doc. No. 043574

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2014 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-9-22	Amended	V. 33, p. 885
1-14-11	Amended	V. 33, p. 886

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-7-1	Amended	V. 33, p. 325
5-7-4	Amended	V. 33, p. 325
5-7-4b	New	V. 33, p. 326

AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

Reg. No.	Action	Register
9-3-6		
through		
9-3-17	New	V. 33, p. 922-926
9-29-1		
through		
9-29-15	Revoked	V. 33, p. 927

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-10-5	Amended (T)	V. 33, p. 627
10-10-5	Amended	V. 33, p. 921

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-11-7	Amended (T)	V. 33, p. 730
16-11-7	Amended	V. 33, p. 1047
16-13-1	New (T)	V. 33, p. 731
16-13-1	New	V. 33, p. 1048

AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-11-18	Amended	V. 33, p. 684
17-11-21	Amended	V. 33, p. 684
17-24-2	Amended	V. 33, p. 946
17-25-1	Amended	V. 33, p. 946

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-8-4	Revoked	V. 33, p. 371
22-8-7	Revoked	V. 33, p. 371
22-8-11	Amended	V. 33, p. 371
22-8-12	Amended	V. 33, p. 371

AGENCY 26: DEPARTMENT FOR AGING AND DISABILITY SERVICES

Reg. No.	Action	Register
26-39-500		
through		
26-39-506	New (T)	V. 33, p. 956-959
26-39-500		
through		
26-39-506	New	V. 33, p. 1171-1174

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-23	New	V. 33, p. 309
28-4-94	New	V. 34, p. 420

28-4-550	Amended	V. 33, p. 200
28-4-552	Revoked	V. 33, p. 202
28-4-556	Revoked	V. 33, p. 202
28-4-564	Amended	V. 33, p. 202
28-4-565	Amended	V. 33, p. 203
28-4-568	Amended	V. 33, p. 203
28-4-569	Amended	V. 33, p. 204
28-4-573	New	V. 33, p. 204
28-4-1250		
through		
28-4-1269	New (T)	V. 33, p. 8-24
28-4-1250		
through		
28-4-1269	New	V. 33, p. 262-278
28-14-1	Amended	V. 33, p. 518
28-14-2	Amended	V. 33, p. 518
28-16-28b	Amended	V. 34, p. 190
28-16-28c	Amended	V. 34, p. 194
28-16-28d	Amended	V. 34, p. 196
28-16-28e	Amended	V. 34, p. 197
28-16-28f	Amended	V. 34, p. 199
28-16-28g	Amended	V. 33, p. 643
28-16-58	Amended	V. 34, p. 200
28-19-720	Amended	V. 33, p. 1125
28-19-750	Amended	V. 33, p. 1126

AGENCY 30: DEPARTMENT FOR CHILDREN AND FAMILIES

Reg. No.	Action	Register
30-6-34	Revoked	V. 33, p. 142
30-6-35	Revoked	V. 33, p. 142
30-6-36	Revoked	V. 33, p. 142
30-6-39	Revoked	V. 33, p. 142
30-6-40	Revoked	V. 33, p. 142
30-6-41	Revoked	V. 33, p. 142
30-6-50		
through		
30-6-56	Revoked	V. 33, p. 142, 143
30-6-60	Revoked	V. 33, p. 143
30-6-63	Revoked	V. 33, p. 143
30-6-65	Revoked	V. 33, p. 143
30-6-70	Revoked	V. 33, p. 143
30-6-78	Revoked	V. 33, p. 143
30-6-80	Revoked	V. 33, p. 143
30-6-81	Revoked	V. 33, p. 143
30-6-82	Revoked	V. 33, p. 143
30-6-85		
through		
30-6-89	Revoked	V. 33, p. 143
30-6-91	Revoked	V. 33, p. 143
30-6-94	Revoked	V. 33, p. 143
30-6-95	Revoked	V. 33, p. 143
30-6-103	Revoked	V. 33, p. 144
30-6-106		
through		
30-6-113	Revoked	V. 33, p. 144, 145
30-6-120	Revoked	V. 33, p. 145
30-6-140	Revoked	V. 33, p. 145
30-6-150	Revoked	V. 33, p. 145
30-14-1	Revoked	V. 33, p. 145
30-14-2	Revoked	V. 33, p. 145
30-14-3	Revoked	V. 33, p. 145
30-14-20	Revoked	V. 33, p. 145
30-14-21	Revoked	V. 33, p. 145
30-14-23		
through		
30-14-26	Revoked	V. 33, p. 145
30-14-28		
through		
30-14-31	Revoked	V. 33, p. 145
30-14-50	Revoked	V. 33, p. 145

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 34, p. 216
40-1-37	Amended	V. 34, p. 120
40-1-48	Amended	V. 34, p. 120
40-3-59	New	V. 33, p. 68
40-4-37e	Amended	V. 34, p. 120
40-9-118	Amended	V. 34, p. 103
40-9-126	New	V. 34, p. 103
40-16-1	New	V. 33, p. 69
40-16-2	New	V. 33, p. 69

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-12-211	Amended	V. 33, p. 577
44-12-212	Amended	V. 33, p. 577
44-12-601	Amended	V. 33, p. 577

AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-9-7	Amended	V. 33, p. 1253

AGENCY 54: STATE LIBRARY OF KANSAS

Reg. No.	Action	Register
54-4-1	New	V. 33, p. 225

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-4-101	Amended	V. 33, p. 580
60-4-103	Amended	V. 34, p. 260
60-8-101	Amended	V. 33, p. 580
60-11-119	Amended	V. 33, p. 580
60-13-101	Amended	V. 33, p. 580

AGENCY 61: BOARD OF BARBERING

Reg. No.	Action	Register
61-3-7	Amended	V. 34, p. 190
61-3-22	Amended	V. 34, p. 190

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-5-6	Amended	V. 34, p. 480
65-5-10	Revoked	V. 34, p. 481
65-5-11	Revoked	V. 34, p. 481
65-5-13	New	V. 34, p. 481

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended (T)	V. 33, p. 627
66-6-1	Amended	V. 33, p. 950
66-6-4	Amended (T)	V. 33, p. 628
66-6-4	Amended	V. 33, p. 950
66-6-6	Amended	V. 33, p. 951
66-6-10	New	V. 33, p. 951
66-8-4	Amended	V. 33, p. 952
66-8-6	Amended	V. 33, p. 952
66-8-7	Amended (T)	V. 33, p. 629
66-8-7	Amended	V. 33, p. 952
66-8-8	Amended	V. 33, p. 952
66-9-5	Amended	V. 33, p. 952
66-9-6	Amended (T)	V. 33, p. 629
66-9-6	Amended	V. 33, p. 953
66-9-7	Amended	V. 33, p. 953
66-10-1	Amended	V. 33, p. 953
66-10-10	Amended	V. 33, p. 953
66-10-10a	Amended	V. 33, p. 953
66-10-11	Revoked	V. 33, p. 953
66-10-12	Amended	V. 33, p. 953
66-10-13	Amended (T)	V. 33, p. 629
66-10-13	Amended	V. 33, p. 954
66-10-14	Amended (T)	V. 33, p. 629
66-10-14	Amended	V. 33, p. 954
66-11-1a	Amended (T)	V. 33, p. 630
66-11-1a	Amended	V. 33, p. 954
66-11-1b	Amended	V. 33, p. 955
66-11-4	Amended (T)	V. 33, p. 630
66-11-4	Amended	V. 33, p. 955
66-11-5	Amended	V. 33, p. 955
66-12-1	Amended (T)	V. 33, p. 630
66-12-1	Amended	V. 33, p. 955
66-14-6	Amended	V. 33, p. 955

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-2-22	Amended	V. 34, p. 70
68-11-1	Amended	V. 33, p. 493
68-11-2	Amended	V. 33, p. 493
68-16-1		
through		
68-16-9	Revoked	V. 34, p. 70
68-20-10a	Amended	V. 34, p. 70

68-20-31	New (T)	V. 34, p. 103
68-20-31	New	V. 34, p. 480
68-21-1	Amended	V. 33, p. 493
68-21-2	Amended	V. 33, p. 494
68-21-7	Amended	V. 33, p. 1150

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-3-27	Amended	V. 33, p. 108
69-3-29	New	V. 33, p. 108
69-11-1	Amended	V. 33, p. 108
69-11-2	Amended	V. 33, p. 108
69-12-5	Amended	V. 33, p. 108
69-15-1	Amended	V. 33, p. 517
69-15-3	Amended	V. 33, p. 108
69-15-4	Amended	V. 33, p. 109
69-15-5	Amended	V. 33, p. 109
69-15-7	Amended	V. 33, p. 109
69-15-12		
through		
69-15-15	Amended	V. 33, p. 109-111
69-15-17	Amended	V. 33, p. 111
69-15-30	Amended	V. 33, p. 518

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-4-1	Amended	V. 33, p. 492

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-2-1	Amended	V. 33, p. 241
74-2-7	Amended	V. 33, p. 242
74-4-9	Amended	V. 33, p. 242
74-5-2	Amended	V. 33, p. 243
74-5-101	Amended	V. 33, p. 244
74-5-202	Amended	V. 33, p. 244
74-5-406	Amended	V. 33, p. 244
74-5-407	Amended	V. 33, p. 245
74-6-2	Amended	V. 33, p. 245
74-11-6	Amended	V. 33, p. 245
74-11-7	Amended	V. 33, p. 246
74-11-15	Revoked	V. 33, p. 246

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-3a	Amended (T)	V. 34, p. 373
82-11-1	Amended	V. 33, p. 1308
82-11-4	Amended	V. 33, p. 1308
82-11-11	Amended	V. 33, p. 1313

AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS

Reg. No.	Action	Register
85-4-1	Amended	V. 34, p. 177
85-7-1	Amended	V. 34, p. 177

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-24-2	Amended	V. 34, p. 247
88-26-1		
through		
88-26-8	Amended	V. 34, p. 247-250
88-26-9		
through		
88-26-16	Revoked	V. 34, p. 250
88-28-6	Amended	V. 34, p. 250
88-29-1	Amended	V. 34, p. 313
88-29-5	Amended	V. 34, p. 314
88-29-6	Amended	V. 34, p. 314
88-29-7	Amended	V. 34, p. 315
88-29-7a	Amended	V. 34, p. 315
88-29-11	Amended	V. 34, p. 315
88-29a-1	Amended	V. 34, p. 316
88-29a-5	Amended	V. 34, p. 318
88-29a-6	Amended	V. 34, p. 318
88-29a-7	Amended	V. 34, p. 318
88-29a-7a	Amended	V. 34, p. 319
88-29b-1	Amended	V. 34, p. 319
88-29b-4	Amended	V. 34, p. 320
88-29b-5	Amended	V. 34, p. 321
88-29b-6	Amended	V. 34, p. 322
88-29b-7	Amended	V. 34, p. 323
88-29b-7a	Amended	V. 34, p. 324

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-200		
through		
91-1-204	Amended (T)	V. 33, p. 764-772
91-1-200		
through		
91-1-204	Amended	V. 33, p. 1049-1057
91-1-214	Amended	V. 33, p. 1081
91-1-220	Amended (T)	V. 33, p. 775
91-1-220	Amended	V. 33, p. 1060

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-146		
through		
92-12-149	New	V. 33, p. 1194
92-14-6	Amended	V. 33, p. 1028
92-14-9	Revoked	V. 33, p. 1028
92-56-1	Amended	V. 33, p. 371
92-56-2	Amended	V. 33, p. 372
92-56-4	Amended	V. 33, p. 374
92-56-5	Amended	V. 33, p. 375
92-56-6		
through		
92-56-9	New	V. 33, p. 375, 376

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-4-2		
through		
93-4-6	Amended	V. 33, p. 974, 975
93-9-1	New	V. 34, p. 260

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-3-3a	Amended	V. 33, p. 1219

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-11-1	Amended	V. 33, p. 1253

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 33, p. 1284
108-1-3	Amended	V. 33, p. 1286
108-1-4	Amended	V. 33, p. 1288

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-2-7	Amended	V. 33, p. 644
109-2-8	Amended	V. 34, p. 71
109-2-11	Amended	V. 33, p. 644
109-2-13	Amended	V. 33, p. 646
109-3-5	Amended	V. 33, p. 849
109-10-1	Revoked	V. 34, p. 344
109-10-1c	Amended	V. 34, p. 344
109-10-1e	Amended	V. 34, p. 345
109-10-2	Revoked	V. 34, p. 345
109-10-7	Amended	V. 34, p. 345
109-11-3a	Amended	V. 34, p. 345
109-11-4a	Amended	V. 34, p. 346
109-11-6a	Amended	V. 34, p. 346
109-11-10	Revoked	V. 34, p. 347
109-15-1	Amended	V. 33, p. 1283

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. The following regulations were filed after December 15, 2013:

Reg. No.	Action	Register
111-2-62	Amended	V. 34, p. 376
111-2-314	New	V. 33, p. 59
111-2-315	New	V. 33, p. 758
111-2-316	New	V. 33, p. 1101
111-2-317	New	V. 33, p. 1101
111-4-3295		
through		
111-4-3305	New	V. 33, p. 35-44
111-4-3306		
through		
111-4-3310	New	V. 33, p. 60-64
111-4-3311		
through		
111-4-3316	New	V. 33, p. 395-397
111-4-3317		
through		
111-4-3325	New	V. 33, p. 646-653
111-4-3326		
through		
111-4-3333	New	V. 33, p. 685-688
111-4-3334	New	V. 33, p. 709
111-4-3335	New	V. 33, p. 710
111-4-3336		
through		
111-4-3340	New	V. 33, p. 732-736
111-4-3341	New	V. 33, p. 758
111-4-3342	New	V. 33, p. 759
111-4-3343	New	V. 33, p. 760
111-4-3344	New	V. 33, p. 887
111-4-3345	New	V. 33, p. 761
111-4-3346		
through		
111-4-3355	New	V. 33, p. 888-898
111-4-3356		
through		
111-4-3362	New	V. 33, p. 998-1003
111-4-3363		
through		
111-4-3368	New	V. 33, p. 1101-1106
111-4-3369	New	V. 33, p. 1195
111-4-3370	New	V. 34, p. 6
111-4-3371	New	V. 34, p. 7
111-4-3372		
through		
111-4-3379	New	V. 34, p. 90-93
111-4-3380		
through		
111-4-3383	New	V. 34, p. 121-123
111-4-3384	New	V. 34, p. 244
111-4-3385		
through		
111-4-3394	New	V. 34, p. 376-383
111-5-23	Amended	V. 33, p. 397
111-5-25	Amended	V. 33, p. 398
111-5-26	Amended	V. 33, p. 398
111-5-28	Amended	V. 33, p. 399
111-5-31	Amended	V. 33, p. 400
111-5-200	Amended	V. 33, p. 400
111-5-212a	New	V. 33, p. 688
111-5-213		
through		
111-5-217	New	V. 33, p. 689, 690
111-5-218	New	V. 33, p. 898
111-7-66	Amended	V. 34, p. 383
111-7-261	New	V. 33, p. 654
111-7-262	New	V. 33, p. 898
111-7-263	New	V. 33, p. 1196
111-7-264	Amended	V. 34, p. 384
111-9-199		
through		
111-9-203	New	V. 33, p. 45-47

(continued)

111-9-204 New V. 33, p. 690
 111-9-205 New V. 33, p. 691
 111-9-206 New V. 33, p. 737
 111-9-207 New V. 33, p. 737

111-9-208 through
 111-9-211 New V. 33, p. 1196-1198
 111-9-212 New V. 34, p. 246
 111-9-213 New V. 34, p. 246
 111-15-1 Amended V. 33, p. 1004
 111-15-2 Amended V. 33, p. 1004
 111-15-3 Amended V. 33, p. 1005
 111-15-5 Amended V. 33, p. 1006
 111-15-8 Amended V. 33, p. 1006
 111-15-21 Amended V. 33, p. 1007
 111-17-9 Amended V. 33, p. 48
 111-17-10 Amended V. 33, p. 48
 111-17-12 New V. 33, p. 65
 111-17-13 New V. 33, p. 403
 111-17-14 New V. 33, p. 738
 111-17-15 Amended V. 33, p. 899
 111-17-16 New V. 33, p. 1007
 111-17-17 New V. 34, p. 93
 111-301-17 Amended V. 34, p. 123
 111-301-18 Amended V. 33, p. 900
 111-301-19 Amended V. 34, p. 124
 111-301-22 Amended V. 33, p. 473
 111-301-26 Amended V. 33, p. 473
 111-301-28 Amended V. 33, p. 474
 111-301-29 Amended V. 33, p. 474
 111-301-45 New V. 33, p. 901
 111-301-46 Amended V. 33, p. 1107
 111-312-5 Amended V. 33, p. 763
 111-312-7 Amended V. 33, p. 763
 111-401-129 Amended V. 34, p. 94
 111-401-195 Amended V. 34, p. 96
 111-401-196 through
 111-401-200 New V. 34, p. 97, 98
 111-501-6 Amended V. 33, p. 65
 111-501-101 Amended V. 33, p. 67

AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

Reg. No.	Action	Register
115-2-1	Amended	V. 33, p. 1126
115-2-3	Amended	V. 33, p. 1127
115-4-2	Amended	V. 33, p. 708
115-4-4	Amended	V. 33, p. 921
115-4-13	Amended	V. 34, p. 312
115-4-15	Amended	V. 33, p. 90
115-7-2	Amended	V. 34, p. 103
115-7-3	Amended	V. 33, p. 1128
115-7-10	Amended	V. 33, p. 1128
115-8-1	Amended	V. 33, p. 709
115-9-6	Amended	V. 34, p. 104
115-15-1	Amended	V. 33, p. 1129
115-15-2	Amended	V. 33, p. 1130

115-18-21 Revoked V. 33, p. 1131
 115-30-1 Amended V. 34, p. 104

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-1	Amended	V. 33, p. 1253
117-2-2	Amended	V. 33, p. 1254
117-2-2a	Amended	V. 33, p. 1255
117-2-3	Amended	V. 33, p. 1256
117-3-1	Amended	V. 33, p. 1256
117-3-2	Amended	V. 33, p. 1257
117-3-2a	Amended	V. 33, p. 1258
117-3-3	Amended	V. 33, p. 1258
117-4-1	Amended	V. 33, p. 1259
117-4-2	Amended	V. 33, p. 1260
117-4-2a	Amended	V. 33, p. 1261
117-4-3	Amended	V. 33, p. 1261
117-5-1	Amended	V. 33, p. 1261
117-5-2	Amended	V. 33, p. 1261
117-5-2a	Amended	V. 33, p. 1262
117-6-1	Amended	V. 33, p. 1262
117-6-2	Amended	V. 33, p. 1263
117-6-3	Amended	V. 33, p. 1264
117-7-1	Amended	V. 34, p. 420
117-20-4	Amended	V. 33, p. 834

AGENCY 123: DEPARTMENT OF CORRECTIONS—DIVISION OF JUVENILE SERVICES

Reg. No.	Action	Register
123-6-105	Amended (T)	V. 33, p. 732
123-6-105a	New (T)	V. 33, p. 732

AGENCY 125: KANSAS AGRICULTURAL REMEDIATION BOARD

Reg. No.	Action	Register
125-1-7	Amended	V. 34, p. 17

AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION

Reg. No.	Action	Register
127-2-2	Amended	V. 34, p. 347

AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION

Reg. No.	Action	Register
128-2-1	Amended	V. 33, p. 946
128-2-3	Amended	V. 33, p. 947
128-2-4	Amended	V. 33, p. 947
128-2-12	Amended	V. 33, p. 947
128-2-13	Amended	V. 33, p. 948
128-3-1	Amended	V. 33, p. 949

AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT—DIVISION OF HEALTH CARE FINANCE

Reg. No.	Action	Register
129-1-1	New	V. 33, p. 146
129-2-1	New	V. 33, p. 146

129-2-2 New V. 33, p. 146
 129-5-1 Amended (T) V. 34, p. 100
 129-5-1 Amended V. 34, p. 340
 129-6-30 New V. 33, p. 146
 129-6-34 New V. 33, p. 146
 129-6-35 New V. 33, p. 148
 129-6-36 New V. 33, p. 148
 129-6-38 Revoked V. 33, p. 148
 129-6-39 New V. 33, p. 148
 129-6-41 New V. 33, p. 149
 129-6-42 New V. 33, p. 149

129-6-50 through
 129-6-57 New V. 33, p. 149-154
 129-6-60 New V. 33, p. 156
 129-6-63 New V. 33, p. 157
 129-6-65 New V. 33, p. 157

129-6-70 through
 129-6-74 New V. 33, p. 157, 158
 129-6-77 Revoked V. 33, p. 159
 129-6-80 through
 129-6-89 New V. 33, p. 159-161
 129-6-91 New V. 33, p. 161

129-6-94 through
 129-6-97 New V. 33, p. 161, 162
 129-6-103 New V. 33, p. 162

129-6-106 through
 129-6-113 New V. 33, p. 163-171

129-6-120 New V. 33, p. 172
 129-6-140 New V. 33, p. 173
 129-6-150 New V. 33, p. 173

129-6-151 Amended V. 33, p. 173
 129-6-152 Amended V. 33, p. 174
 129-6-153 New V. 33, p. 174

129-14-2 New V. 33, p. 174
 129-14-3 New V. 33, p. 175
 129-14-20 New V. 33, p. 175

129-14-21 New V. 33, p. 175
 129-14-22 Revoked V. 33, p. 175
 129-14-23 New V. 33, p. 176

129-14-25 New V. 33, p. 176
 129-14-26 New V. 33, p. 176
 129-14-27 Amended V. 33, p. 177
 129-14-28 New V. 33, p. 177

129-14-30 through
 129-14-37 New V. 33, p. 178-180
 129-14-40 New V. 33, p. 180

129-14-50 New V. 33, p. 180
 129-14-51 Amended V. 33, p. 180
 129-14-52 Amended V. 33, p. 180

Kansas Register
Secretary of State
1st Floor, Memorial Hall
120 S.W. 10th Ave.
Topeka, KS 66612-1594
