In this issue . . .

<table>
<thead>
<tr>
<th>In this issue</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legislative interim committee schedule</td>
<td>1298</td>
</tr>
<tr>
<td>North Central Regional Planning Commission</td>
<td></td>
</tr>
<tr>
<td>Notice to bidders</td>
<td>1299</td>
</tr>
<tr>
<td>Request for proposals</td>
<td>1299</td>
</tr>
<tr>
<td>Kansas Board of Regents Universities</td>
<td></td>
</tr>
<tr>
<td>Notice to bidders</td>
<td>1299</td>
</tr>
<tr>
<td>Kansas Department of Transportation</td>
<td></td>
</tr>
<tr>
<td>Request for comments on the Statewide Transportation Improvement Program</td>
<td>1299</td>
</tr>
<tr>
<td>Notice to contractors</td>
<td>1300</td>
</tr>
<tr>
<td>City of Lenexa</td>
<td></td>
</tr>
<tr>
<td>Notice to bidders</td>
<td>1301</td>
</tr>
<tr>
<td>Department of Corrections</td>
<td></td>
</tr>
<tr>
<td>Request for proposals for alternatives to juvenile detention</td>
<td>1302</td>
</tr>
<tr>
<td>Department of Administration—Procurement and Contracts</td>
<td></td>
</tr>
<tr>
<td>Notice to bidders for state purchases</td>
<td>1302</td>
</tr>
<tr>
<td>Fort Hays State University</td>
<td></td>
</tr>
<tr>
<td>Request for qualifications for professional services</td>
<td>1302</td>
</tr>
<tr>
<td>Department of Health and Environment</td>
<td></td>
</tr>
<tr>
<td>Request for comments on revised post-closure plan modification</td>
<td>1302</td>
</tr>
<tr>
<td>Request for comments on revised post-closure plan and sampling and analysis plan</td>
<td>1303</td>
</tr>
<tr>
<td>Notice concerning water pollution control permits/applications</td>
<td>1304</td>
</tr>
<tr>
<td>Kansas Insurance Department</td>
<td></td>
</tr>
<tr>
<td>Notice of hearing on proposed administrative regulation</td>
<td>1303</td>
</tr>
<tr>
<td>Attorney General</td>
<td></td>
</tr>
<tr>
<td>2014 update to guidelines for takings of private property</td>
<td>1304</td>
</tr>
<tr>
<td>Department of Administration—Office of Facilities and Procurement Management</td>
<td></td>
</tr>
<tr>
<td>Notice of requested architectural services</td>
<td>1304</td>
</tr>
<tr>
<td>Pooled Money Investment Board</td>
<td></td>
</tr>
<tr>
<td>Notice of investment rates</td>
<td>1306</td>
</tr>
<tr>
<td>Office of the Governor</td>
<td></td>
</tr>
<tr>
<td>Executive Order 14-06</td>
<td>1306</td>
</tr>
<tr>
<td>City of Meade</td>
<td></td>
</tr>
<tr>
<td>Notice of bond sale</td>
<td>1307</td>
</tr>
<tr>
<td>Permanent Administrative Regulations</td>
<td></td>
</tr>
<tr>
<td>State Corporation Commission</td>
<td>1308</td>
</tr>
<tr>
<td>Index to administrative regulations</td>
<td>1313</td>
</tr>
</tbody>
</table>
## Legislation

### Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet on the dates listed below based on current information and subject to change. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at 785-296-2391 or TTY 711, or email legserv@las.ks.gov.

<table>
<thead>
<tr>
<th>Date</th>
<th>Room</th>
<th>Time</th>
<th>Committee</th>
<th>Agenda</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 5</td>
<td>112-N</td>
<td>10:00 a.m.</td>
<td>Special Committee on Judiciary</td>
<td>Agenda not available.</td>
</tr>
<tr>
<td>Jan. 5</td>
<td>Kansas Corporation Commission – 1st Floor Hearing Room</td>
<td>1:30 p.m.</td>
<td>Kansas Electric Transmission Authority (KETA)</td>
<td>Agenda not available.</td>
</tr>
<tr>
<td>Jan. 6</td>
<td>112-N</td>
<td>8:00 a.m.</td>
<td>K-12 Student Performance &amp; Efficiency Commission</td>
<td>Agenda not available.</td>
</tr>
<tr>
<td>Jan. 6</td>
<td>152-S</td>
<td>TBA</td>
<td>Joint Committee on Administrative Rules &amp; Regulations</td>
<td>Agenda not available.</td>
</tr>
<tr>
<td>Jan. 6</td>
<td>548-S</td>
<td>10:30 a.m.</td>
<td>Legislative Coordinating Council</td>
<td>Legislative matters.</td>
</tr>
<tr>
<td>Jan. 7</td>
<td>218-N</td>
<td>10:00 a.m.</td>
<td>Joint Committee on Special Claims Against the State</td>
<td>Review claims.</td>
</tr>
</tbody>
</table>

Doc. No. 043192
North Central Regional Planning Commission

Notice to Bidders

Sealed bids for a mini robot will be accepted by the North Central Regional Planning Commission, 109 N. Mill St., Beloit, 67420, until 4 p.m. Thursday, January 8, 2015, at which time they will be publicly opened and read aloud at the same address. Copies of the Request for Bid and project specifications can be accessed by going to http://procurement.ncrpc.org/HS/projects.html or by contacting the NCRPC at 785-738-2218 or lcpeters@nckcn.com. This action is being taken on behalf of the Northeast Kansas Regional Homeland Security Council. The estimated project value exceeds $25,000.

Lisa Peters
Homeland Security Clerk

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.


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.


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

State of Kansas
Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 15-18. The comprehensive list of projects being amended to the STIP may be viewed online at http://www.ksdot.org/burProgProjMgmt/stip/stip.asp. This list includes projects for counties and cities and for projects on the state highway system. The amendment of the STIP requires a public comment period of 14 days. To make comments on this STIP amendment, contact the KDOT Bureau of Program and Project Management, 2nd Floor Tower, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754, 785-296-2252, fax 785-296-8168. This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Office of Public Affairs, 785-296-3585 (voice/hearing impaired – 711).

The comment period regarding the STIP amendment for these projects will conclude January 7, 2015.

Mike King
Secretary of Transportation
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 “NonBid Holders List” as a subcontractor/supplier. KDOT’s approval is required 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 January 14, 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 January 14, 2015. An audio broadcast of the bid letting is available at http://www.ksdot.org/burcons/main/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 provision 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

Douglas — 23 C-4640-01 — RS 210 between Route 12 and RS 1277, grade and culvert, 3.0 miles. (Federal Funds)

Johnson — 46 N-0581-01 — 75th Street, from Mission to State Line, grading and surfacing, 1.2 miles. (Federal Funds)

Nemaha — 36-66 KA-2610-01 — U.S. 36, from 1st Street to 11th Street, new curb and gutter, 0.7 mile. (State Funds)

Statewide — 73-106 KA-4098-01 — U.S. 73, from the U.S. 73/RS-25 junction north to the Atchison/Brown county line; U.S. 73, from the Brown/Atchison county line west to the east city limits of Horton; U.S. 73, from U.S. 73 (Woodlawn)/U.S. 59 north over the railroad crossing, milling and overlay, 15.7 miles. (State Funds)

District Two — North Central

Marion — 57 C-0306-02 — City of Hillsboro (Safe Routes to School), pedestrian and bicycle paths. (Federal Funds)

McPherson — 56-59 KA-3143-01 — I-135 northbound off-ramp at U.S. 56 near McPherson, intersection improvement, 0.1 mile. (Federal Funds)

Ottawa — 81-72 KA-3782-01 — U.S. 81, from 6.4 miles north of the U.S. 81/K-106 junction north to the Ottawa/Cloud county line, 3-inch overlay, 6.7 miles. (State Funds)


Statewide — 4-106 KA-4099-01 — K-4, from the Dickinson/Saline county line east to the K-4/K-43 junction; K-4, from the K-4/K-104 junction east to Gypsum; K-4, from Gypsum south and east to the Saline/Dickinson county line, recycle and overlay, 32.0 miles. (State Funds)

Statewide — 232-106 KA-4109-01 — K-232, from the K-232/Old U.S. 40 junction north to the Ellsworth/Lincoln county line; K-232, from the Lincoln/Ellsworth county line north to the Lincoln/Russell county line, milling and overlay, 8.3 miles. (State Funds)

District Three — Northwest

Thomas — 83-97 KA-2108-01 — Bridge #039 located 6.61 miles north of I-70 (South Fork Solomon River), bridge replacement. (Federal Funds)

Thomas — 83-97 KA-2109-01 — Bridge #036 located 1.05 miles north of the Logan County line (South Fork Saline River), bridge replacement. (Federal Funds)

Thomas — U083-97 KA-2110-01 — Bridge #037 located 3.56 miles north of the Logan County line (North Fork Saline River), bridge replacement. (Federal Funds)

Wallace — 27-100 KA-1004-02 — K-27 from 7.7 miles north of the Wallace/Greeley county line north to 2.1 miles south of the west junction of K-27/U.S. 40, grade and surfacing, 4.7 miles. (Federal Funds)

District Four — Southeast

Anderson — 59-002 KA-2094-02 — Tree cutting along U.S. 59 at bridge #007 (Pottawatomie Creek), special. (State Funds)

Crawford — 103-11 KA-3555-01 — K-103, from Lincoln Street to Jefferson Street, grading and surfacing, 0.1 mile. (State Funds)

Crawford — 7-19 KA-3833-01 — K-7, from the south county line to K-7/K-126, recycle and overlay, 5.0 miles. (State Funds)

Labette — 50 TE-0392-01 — Pedestrian/bike path from existing Frisco Walking Trail through Forest Park to 13th and Broadway, pedestrian and bicycle paths. (Federal Funds)

Woodson — 54-104 KA-2112-01 — Bridge #005 located 2.49 miles east of U.S. 75, bridge replacement. (Federal Funds)

Cherokee — 400-11 KA-0740-03 — U.S. 400, cutting trees along U.S. 400 from the Labette/Cherokee county line east to U.S. 400/K-7, special, 13.4 miles. (State Funds)

Labette — 400-50 KA-0741-03 — U.S. 400, cutting trees along U.S. 400 from approximately 0.5 mile west of the county line (near Straus) east to the county line, special, 0.6 mile. (State Funds)

Labette — 400-50 KA-2375-12 — U.S. 400, cutting trees along U.S. 400 from approximately 5.0 miles southeast of U.S. 400/U.S. 59 east for 2.0 miles, special, 2.0 miles. (State Funds)
District Five — South Central

Butler—5-48 KA-3807-01 — U.S. 54, from the east city limits of Augusta to U.S. 54/U.S. 400, pavement patching, 7.0 miles. (State Funds)

Harvey—50-40 KA-2780-01 — Bridge #071 located 1.96 miles west of the west junction of K-15 (Meridian Avenue, ATSF RR), bridge repair. (State Funds)

Harvey—50-40 KA-3805-01 — U.S. 50, from 4-lane divided/4-lane to end of Portland concrete, pavement patching, 3.5 miles. (State Funds)

Sedgwick—135-87 KA-3646-01 — I-135/K-96 and I-135/1-235 interchanges, surfacing, 0.2 mile. (Federal Funds)

Statewide—54-106 KA-4117-01 — U.S. 54, from the east city limits of Wichita to new pavement west of 159th Street; U.S. 54, from the west county line to Andover Road, milling and overlay, 2.9 miles. (State Funds)

District Six — Southwest

Stevens—95 C-0308-02 — City of Hugoton (Safe Routes to School), pedestrian and bicycle paths. (Federal Funds)

Mike King
Secretary of Transportation

Doc. No. 043162

(Prepared in the Kansas Register December 25, 2014.)

City of Lenexa, Kansas

Notice to Bidders

Sealed bids for Quivira Road Sidewalk and Intersection Improvements (83rd to 85th Street) will be accepted by the city of Lenexa, Kansas, at the Community Development Department, Lenexa City Hall, 12350 W. 87th St. Parkway, Lenexa, 66215, until 1 p.m. January 28, 2015, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Community Development Department’s customer service staff (main level) in sealed envelopes addressed to the city of Lenexa, Kansas, attention: city clerk, and marked “Bid for: Quivira Road Sidewalk and Intersection Improvements (83rd to 85th Street).” Copies of plans, specifications, bidding documents and other contract documents are on file at Drexel Technologies, Inc., 10840 W. 86th St., Lenexa, 66215.

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above. Plans and specifications may be downloaded from the Drexel Technologies, Inc. website at http://planroom.drexelttech.com/.

Note: Davis Bacon wage rates apply to this project.

Each bidder will be responsible for ensuring that it has received any and all addenda issued by the city in accordance with IB-10 of the Instructions to Bidders.

Contractors should read and be fully familiar with all contract documents including addenda before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations, and shall include in its bid a sum to cover the cost of all items of the work as specified in the contract documents. No oral telegraphic, telephonic proposals or alterations will be considered. Facsimile transmissions will not be accepted.

The following items must be included in the sealed envelope with the bid:

a. Bid form;
b. 5% bid security—bid bond, cashier’s check or certified check (see below); and
c. Acknowledgment of addenda issued by city.

Each bidder shall file with its bid a bid bond, a cashier’s check or a certified check drawn on an acceptable bank, made payable to the city of Lenexa, Kansas, in an amount equal to 5 percent of the total bid, which shall be retained by the city of Lenexa until a contract for the project has been executed. Bid bonds will be returned to the bidders, with the exception of the best and lowest and second best and second lowest responsible bidders, within 21 days after their bids are rejected. The bid deposit of the lowest and the second lowest responsible bidders will be returned when the performance bond, maintenance bond and statutory bond, each in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been furnished and the contract documents have been executed by the successful bidder.

In the event the low bidder is unable to execute the contract, for whatever reason, within the time provided in the Notice of Award, the city may annul the Notice of Award and the bid deposit may be forfeited, and the city shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of city clerk prior to the time and date for bid opening.

From and after the release of this notice, any party intending to bid on the above-referenced project, including their officers, employees, agents or contractors, are specifically prohibited from communicating with any elected or appointed official of the city, directly or indirectly, with regard to the award of the contract for the project listed above, except as specifically authorized by the Instructions to Bidders. Any such unauthorized communication may result in the automatic disqualification of such bidder.

All bidders agree that rejection shall create no liability on the part of the city because of such rejection, and the filing of any bid in response to this notice shall constitute an agreement of the bidder to these conditions.

A pre-bid conference will be held at 1 p.m. January 21 in the executive conference room, upper level, Lenexa City Hall.

David F. Bryant III
City Clerk

Doc. No. 043196
State of Kansas
Department of Corrections
Request for Proposals
The Kansas Department of Corrections and the Kansas Advisory Group announces the availability of an RFP for new and continuing applications for Title II funds for alternatives to detention through theJuvenile Justice and Delinquency Prevention Act. Priority will be given to applications from jurisdictions that have exhibited a willingness to participate in reform strategies through the Juvenile Detention Alternative Initiative. Applications can be downloaded at the KDOC website at http://www.doc.ks.gov/juvenile-services/grants/applications.

For more information contact Joni Cattoor, juvenile justice specialist, at 785-296-0745 or jonib.cattoor@doc.ks.gov.

Ray Roberts
Secretary of Corrections

Doc. No. 043186

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:

01/06/2015 EVT0003500 Motor Control Replacement at Milford
01/08/2015 EVT0003506 Compact Track Loader and/or Attachments
01/15/2015 EVT0003496 Sex Offender Treatment Programming
01/20/2015 EVT0003497 Insured Hearing Aid Benefit Plan
02/16/2015 EVT0003431 Web Based Management and Hosting of LSI-R and LSI-RSV

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

01/20/2015 A-011655 Metal Roof Retrofit – Vocational/ Library/Gym – Topeka Correctional Facility, Topeka
01/27/2015 A-012682 Waterline Replacement – Lansing Correctional Facility, Lansing

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

Tracy T. Diel, Director
Procurement and Contracts

Doc. No. 043194

State of Kansas
Fort Hays State University
Request for Qualifications
Notice is hereby given for the commencement of the selection process for professional services for the new Applied Technology Facility on the Fort Hays State University campus in Hays. Major project elements include removal of an existing parking lot and construction of a new, relocated parking lot and a 54,000 gross square foot facility to house the Institute for Applied Technology and the Department of Art sculpture program, as well as adjacent site work.

Responses are due at 4:30 p.m. January 16 at the Purchasing Office, 318 Sheridan Hall, Fort Hays State University, 600 Park St., Hays, 67601. For additional information visit www.fhsu.edu/purchasing/bids/. Project questions may be addressed to Kathy Herrman, director of purchasing, at kherrman@fhsu.edu or 785-628-4251.

Kathy Herrman
Director of Purchasing

Doc. No. 043193

State of Kansas
Department of Health and Environment
Request for Comments
The Kansas Department of Health and Environment is soliciting public input for the revised Post-Closure Plan, including Sampling and Analysis Plan, and Operation and Maintenance Plan, for the former evaporation lagoon (FEL) at the Abbott Laboratories facility located at 6765 S. Ridge Road, Wichita, Kansas.

Revisions include termination of the leachate monitoring system due to prolonged absence of leachate in the FEL. Additionally, modifications include reduced FEL cap inspections, modification to analytes list and monitoring schedule.

A fact sheet and the above-referenced plans are available for public review at the Haysville Community Library, 210 Hays Ave., Haysville, and at the KDHE Bureau of Waste Management Office, 1000 S.W. Jackson, Suite 320, Topeka. Written public comments on the revised plans must be postmarked during the 30-day public comment period, which begins December 26, 2014, and ends January 26, 2015.

The public may submit comments, requests for additional information or requests for a public hearing to the Kansas Department of Health and Environment, Bureau of Waste Management, Hazardous Waste Permitting Section, Attn: Mostafa Kamal, 1000 S.W. Jackson, Suite 320, Topeka, 66612, 785-296-1609 or mkamal@kdheks.gov.

Any public concerns expressed during the comment period will be considered prior to KDHE approval of the plans.

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

Doc. No. 043190

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Vol. 33, No. 52, December 25, 2014
State of Kansas
Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting public input regarding approval of the revised Post-Closure Plan and Sampling and Analysis Plan for the closed acid neutralization pond and the closed slop oil emulsion pond at the Williams Petroleum Services, LLC (Williams) facility located at 2nd and Oak Street, Augusta, Kansas. KDHE intends to approve the plans after the public comment period, which begins December 26, 2014, and ends January 26, 2015.

The acid neutralization and slop oil emulsion ponds were closed following sludge removal in 1988 and are under interim status with respect to RCRA Subtitle C. The acid neutralization pond received spent acids and caustics from refinery operations. The slop oil emulsion pond was utilized to dispose of a mixture of crude oil and water that did not readily separate. Following closure, volatile organic compounds (VOCs), semivolatile organic compounds (SVOCs) and heavy metals were detected in the groundwater below the former surface impoundments. The groundwater contamination plume in this area extends from the regulated units off-site to the southeast.

The groundwater contamination plume in this area extends from the regulated units off-site to the southeast. Williams has been monitoring this contamination through quarterly or semiannual groundwater sampling following a KDHE-approved plan since 1989.

The proposed Post-Closure Plan and Sampling and Analysis Plan currently under public review were submitted in response to the September 2013 Groundwater Monitoring System Operation and Maintenance Inspection Report (2013 O&M Report) and subsequent follow-up discussions. The Sampling and Analysis Plan was revised to include additions to the monitoring well network, changes to the sample collection procedure and an addition to the analyte list. The Post-Closure Plan was revised to update the post-closure cost estimate, monitoring well network and expansion of the footprint of SWMU 1 to address the black oily deposit recently discovered in the vicinity of SWMU 1 and SWMU 2.

The Post-Closure Plan and Sampling and Analysis Plan are available for public review at the Augusta Public Library, 1609 State St., Augusta, and at the KDHE Bureau of Waste Management Office, 1000 S.W. Jackson, Suite 320, Topeka. Written public comments on the revised plans must be postmarked during the 30-day public comment period. Any request for a public hearing must be received by January 26, 2015.

The public may submit comments, requests for additional information or requests for a public hearing to the Kansas Department of Health and Environment, Bureau of Waste Management, Hazardous Waste Permitting Section, Attn: Mostafa Kamal, 1000 S.W. Jackson, Suite 320, Topeka, 66612, 785-296-1609 or mkamal@kdheks.gov.

Any public concerns expressed during the comment period will be considered prior to KDHE approval of the plans.

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

State of Kansas
Kansas Insurance Department

Notice of Hearing on Proposed Administrative Regulation

A public hearing will be conducted at 1:30 p.m. Wednesday, February 25, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of a proposed rule and regulation.

The 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Diane Minear, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678, via facsimile at 785-291-3190, or via email at dminear@ksinsurance.org. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

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

K.A.R. 40-1-28. Insurance holding companies; reporting forms and instructions. This regulation is being proposed to amend the current regulation relating to reporting forms and instructions for insurance holding company systems filed by insurance companies. This proposed amendment to K.A.R. 40-1-28 adopts by reference the December 10, 2014, “Policy and Procedure Providing Insurance Holding Company System Forms and Instructions,” which is the current NAIC model regulation with Kansas-specific revisions.

The proposed amended regulation is not mandated by federal law.

There would be minimal impact on companies required to update their procedures. The proposed amended regulation will not have any economic impact on the Kansas Insurance Department, government agencies, regulated entities, large or small businesses, the general public or consumers.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request any proposed regulation and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Diane Minear at 785-296-2676 or dminear@ksinsurance.org. Any individual desiring a copy of any regulation and/or the policy and procedure that is being adopted by reference, if applicable, may obtain a copy from the department’s website, www.ksinsurance.org (under the Legal Issues link), or by contacting Diane Minear. The charge for copies is 50 cents per page.

Sandy Praeger
Kansas Insurance Commissioner

Doc. No. 043187

Vol. 33, No. 52, December 25, 2014 © Kansas Secretary of State 2014
State of Kansas

Attorney General

2014 Update to Guidelines for Takings of Private Property

The Private Property Protection Act, K.S.A. 77-701 et seq., requires the Attorney General to compile and annually update guidelines to be used by state agencies in determining whether proposed government actions may constitute a taking of private property. These guidelines are to be based on cases decided by the United States Supreme Court and the Kansas Supreme Court.1 Government action is defined as legislation, regulations or directives, or agency guidelines and procedures for the issuing of licenses or permits.2 The Act expressly excludes other types of activity, such as the formal exercise of eminent domain.3

Under the criteria of the Act, there are no cases to include in the 2014 update to the Attorney General’s Guidelines.4

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1 K.S.A. 77-704.
2 K.S.A. 77-703(b)(1).
3 K.S.A. 77-703(b)(2).
4 The original guidelines are published at 14 Kan. Reg. 1690-92 (Dec. 21, 1995).

Derek Schmidt
Attorney General

Doc. No. 043183

State of Kansas

Department of Administration
Office of Facilities and Procurement Management

Notice of Requested Architectural Services

Notice is hereby given of the commencement of the selection process for architectural services for the design of Parking Garage #5 at the Kansas University Medical Center campus in Kansas City, Kansas. The garage will be a multi-level parking facility with an approximate capacity of 2,200 vehicles. The facility will be located on a site between Eaton and Cambridge Streets, and 37th and 38th Avenues. Completion date is the summer of 2017. The total project budget is $39,600,000.

For more information contact Benjamin Perry at 913-888-8990 or bperry3@kumc.edu. An architectural program is available at http://admin.ks.gov/offices/ofpm/dcc/arch-eng-programs.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at http://admin.ks.gov/offices/ofpm/dcc/f-and-d. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document. Proposals should be less than 5MB and follow the current State Building Advisory Commission guidelines found in Part B—Chapter 2 of the Building Design and Construction Manual at http://www.admin.ks.gov/offices/ofpm/dcc/bdcm. Proposals should be sent on a CD, DVD or flash drive along with a transmittal to Randy Riveland, Office of Facilities and Procurement Management, Suite 700, 800 S.W. Jackson, Topeka, 66612-1216. Proposals sent via email will no longer be accepted and paper copies of the proposals are no longer required. It is the proposer’s responsibility to ensure proposals are received by the closing date and time. Delays in mail delivery or any other means of transmittal, including couriers or agents of the issuing entity, shall not excuse late proposal submissions. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions, call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of Randy Riveland by 2 p.m. on or before January 9, 2015.

Mark J. McGivern, Director
Office of Facilities and Procurement Management

Doc. No. 043195

Public Notice No. KS-AG-14-330/337

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant  Legal Description  Receiving Water
Todd Willer  All of Section 05, T33S, R32W, Seward County
Heifer Source, LLC  N 3569 Vandenberg Road  Cimarron River Basin
Kaukauna, WI 54130

Kansas Permit No. A-CISW-C001  Federal Permit No. K50040657
This is a permit modification and reissuance for an existing facility with the maximum capacity of 44,167 head (44,167 animal units) of cattle weighing greater than 700 pounds and 17,666 head (9,833 animal...
units) of cattle weighing 700 pounds or less, for a total of 53,000 animal units of cattle. There is no change in the permitted number of animal units from the previous permit. The facility is proposing to construct additional open lot pens, construct two sediment basins, remove one retention structure, remove one sediment basin, modify three retention structures, reconfigure a portion of the existing pens and enlarge the feed storage area. Following the proposed modifications, the facility will consist of approximately 263.9 acres of open lot pens, 199.6 acres of associated feedlot areas, five sediment basins and five earthen retention structures. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant
Charles M Zeller
Plus Z Farms
5776 W. 76th Ave.
Manhattan, KS 66503
Kansas Permit No. A-KSRL-B002
This is a renewal permit for an existing facility for 999 head (999 animal units) of cattle weighing more than 700 pounds.

Name and Address of Applicant
Leland Schrock
916 E. Red Rock Road
Hutchinson, KS 67501
Kansas Permit No. A-ARRN-M047
This is a reissuance of a permit for an existing facility for 30 acres of pasture and a dairy barn, for the maximum capacity of 45 head (63 animal units) of dairy cattle, 4 head (4 animal units) of cattle weighing more than 700 pounds, 33 head (16.5 animal units) of cattle weighing less than 700 pounds, 125 head (50 animal units) of swine weighing greater than 55 pounds and 4 head (8 animal units) of horses. The permit contains modifications consisting of the addition of 4 (8 animal units) head of horses, 33 head (16.5 animal units) of cattle weighing less than 700 pounds, 5 head (2 animal units) of swine weighing more than 55 pounds and 4 head (4 animal units) of cattle weighing more than 700 pounds. This modification represents an increase in the permitted animal units from the previous permit.

Name and Address of Applicant
Samuel Hands
Triangle H Grain & Cattle Company
1955 W. Plymouth Road
Garden City, KS 67846
Kansas Permit No. A-UAKJ-C008 Federal Permit No. KS0097241
This is a permit renewal for an existing facility with the maximum capacity of 4,000 head (4,000 animal units) of cattle weighing greater than 700 pounds. The facility consists of approximately 23.1 acres of open lot pens and 8.7 acres of associated feedlot areas. The waste management system includes two drainage channels, a sediment basin and an earthen retention structure. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant
Allan Carmichael
CSA Cattle Co. LLC
114 E. County Road J
Leoti, KS 67861
Kansas Permit No. A-SHWH-C007 Federal Permit No. KS0094889
This is a renewal permit for an existing facility for 4,995 head (4,995 animal units) of cattle weighing greater than 700 pounds. The facility is located on 36 acres, of which 10.5 acres is cropland. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant
John Oldham
Finest Beef Grow Yard
11352 112 Road
Dodge City, KS 67801
Kansas Permit No. A-UARO-C016 Federal Permit No. KS0094340
This permit is being reissued for an existing facility for 2,000 head (2,000 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units from the previous permit. An approved Nutrient Management Plan for the facility is on file with KDHE.

This is a reissuance of a permit for an existing facility for the maximum capacity of 40 head (56 animal units) of mature dairy cattle, 1,200 head of free range poultry (9.6 animal units) and a poultry processing facility. There are no changes in the permitted animal units from the previous permit.

Name and Address of Applicant
Tim J. Pauly
C & T Dairy
1381 W. 80th Ave. North
Conway Springs, KS 67031
Kansas Permit No. A-ARSM-M006
This is a permit renewal for an existing facility for 2,000 head (999 animal units) of dairy cattle weighing more than 700 pounds.

Name and Address of Applicant
Harshman Construction LLC
1648 F P Road
Cedar Point, KS 66843
Kansas Permit No. 1-MC23-PO03 Federal Permit No. KS0098841
Legal Description: NW1/4 & SW1/2, S25, T18S, R18E, Osage County, KS Facility Name: Waverly Quarry

This is a groundwater remediation project. The modification consists of the proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. This is a limestone quarriing and crushing operation with some washing. Wash water is sent to the old quarry pit and will not discharge. Active quarry pit water and stormwater runoff will be discharged from Outfall 001A1. The proposed permit contains generic water-quality language to protect waters of the state.

Name and Address of Applicant
Morrison Ventures P.O. Box 1737
Salina, KS 67402
Kansas Permit No. 1-SH36-PO01 Federal Permit No. KS0100404
Legal Description: NE1/4, S19, T18S, R3W, Saline County, KS Facility Name: Smolan Pork Site Groundwater Remediation Facility Location: 4337 W. Smolan Road, Smolan, KS 67479

The proposed action consists of modifying of an existing KansasNPDES Water Pollution Control permit for a discharge of wastewater from a groundwater remediation project. The modification consists of the addition of two additional recovery wells and the corresponding increase in discharge flow from 35 gpm to up to 75gpm. As the treatment system was originally designed for 100 gpm, no change (continued)
Public Notice No. KS-PT-14-009

The requirements of the draft permits public noticed below are pursuant to Kansas Administrative Regulations 26-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403:

<table>
<thead>
<tr>
<th>Name and Address of Applicant</th>
<th>Legal Location</th>
<th>Type of Discharge</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kraft Tool Co.</td>
<td>Neodesha MWWTP</td>
<td>Process</td>
</tr>
<tr>
<td>8325 Hedge Lane Terrace</td>
<td>Wastewater</td>
<td></td>
</tr>
<tr>
<td>Shawnee, KS 66227</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kansas Permit No. P-VE29-0001</td>
<td>Federal Tracking No. KSP000049</td>
<td></td>
</tr>
<tr>
<td>Facility Name: Sands Level &amp; Tool Co. Inc.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Facility Address: 1250 Tank Ave., Neodesha, KS 66757</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The proposed action consists of modifying an existing pretreatment permit for an existing facility. The modification consists of the addition of two outfalls to facilitate metal washing and the rinse water generated during copper electroplating, which has been added to the processes at this facility. All other terms and provisions remain in full force and effect.

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 January 24 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-14-330/337, KS-Q-14-208/209, KS-PT-14-009) 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.
Interim Secretary of Health and Environment

Doc. No. 043191

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. 2013 Supp. 12-1675(b)(c)(d) and K.S.A. 2013 Supp. 12-1675a(g).

Effective 12-22-14 through 12-28-14

<table>
<thead>
<tr>
<th>Term</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-89 days</td>
<td>0.13%</td>
</tr>
<tr>
<td>3 months</td>
<td>0.01%</td>
</tr>
<tr>
<td>6 months</td>
<td>0.16%</td>
</tr>
<tr>
<td>12 months</td>
<td>0.30%</td>
</tr>
<tr>
<td>18 months</td>
<td>0.47%</td>
</tr>
<tr>
<td>2 years</td>
<td>0.68%</td>
</tr>
</tbody>
</table>

Scott Miller
Director of Investments

Doc. No. 043179

State of Kansas
Office of the Governor

Executive Order 14-06

(Writer's Note: The attachment referred to in this executive order may be obtained by contacting the secretary of state's office at 785-296-2034.)

WHEREAS, the use of mobile communication and information devices while operating vehicles presents potentially unsafe driving conditions and texting while driving is prohibited by Kansas law; and

WHEREAS, the use of mobile communication and information devices while operating state vehicles is strongly discouraged as it is inconsistent with the responsibility of state employees to operate state vehicles in a safe and prudent manner; and

WHEREAS, the use of state-provided mobile communication and information devices for personal, non-state business purposes can constitute an improper use of state property; and

WHEREAS, the use of personal mobile communication and information devices for state business purposes is a potential area of statewide benefit; and

WHEREAS, the Department of Administration is to exercise administrative functions in developing plans for improvements and economies in the operation of the several state agencies; and

WHEREAS, the adoption of the attached mobile communication and information device policies will provide such improvements and economies in the operation of state agencies;

NOW THEREFORE, pursuant to K.S.A. 75-3707 and 75-3711 and the authority vested in me as Governor of the State of Kansas, and having applied the guidelines and limitations of K.S.A. 75-3711c, I hereby direct the Secretary of Administration to develop and provide mobile communication and information device policies to the Executive Branch agencies under the jurisdiction of the Governor. Such policies are to be utilized in the operations of such state agencies. Each such state agency shall utilize...
such policies in the development of agency specific policies/employee guides and make them known and available to their employees.

I further hereby rescind Executive Order No. 03-20.

This document shall be filed with the Secretary of State as Executive Order No. 14-06 and shall become effective immediately.

Dated December 11, 2014.

Sam Brownback
Governor

Doc. No. 043181

(Read in the Kansas Register December 25, 2014.)

Summary Notice of Bond Sale
City of Meade, Kansas
$635,000*

General Obligation Bonds, Series 2015
(General obligation bonds payable from unlimited ad valorem taxes)

Bids
Subject to the Notice of Bond Sale dated December 8, 2014, written bids will be received on behalf of the clerk of the city of Meade, Kansas (the issuer), at the address set forth below until 11 a.m. (CST) January 12, 2015, for the purchase of the above-referenced bonds. No bid of less than 98 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 January 28, 2015, and will become due on September 1 in the years as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Principal Amount*</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>$15,000</td>
</tr>
<tr>
<td>2017</td>
<td>25,000</td>
</tr>
<tr>
<td>2018</td>
<td>25,000</td>
</tr>
<tr>
<td>2019</td>
<td>25,000</td>
</tr>
<tr>
<td>2020</td>
<td>25,000</td>
</tr>
<tr>
<td>2021</td>
<td>25,000</td>
</tr>
<tr>
<td>2022</td>
<td>30,000</td>
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<tr>
<td>2023</td>
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<td>2024</td>
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<tr>
<td>2031</td>
<td>40,000</td>
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<td>2032</td>
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<tr>
<td>2033</td>
<td>40,000</td>
</tr>
<tr>
<td>2034</td>
<td>45,000</td>
</tr>
<tr>
<td>2035</td>
<td>45,000</td>
</tr>
</tbody>
</table>

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

Optional Book-Entry-Only System
The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar
Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit
Each bid shall be accompanied by a good faith deposit in the form of a cashier’s or certified check drawn on a bank located in the United States, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of $14,800.

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 January 28, 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 $8,418,901. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is $635,000.

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

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

Written and Facsimile Bid and Good Faith Deposit Delivery Address:
Tiffany Neel, Clerk
132 S. Fowler
Meade, KS
620-873-2091
Fax: 620-873-2635
tiffany_neel@sbcglobal.net

Financial Advisor — Facsimile Bid and Good Faith Deposit Delivery Address:
Central States Capital Markets, LLC
245 N. Waco, Suite 525
Wichita, KS 67202
Attn: Mark R. Detter
316-265-9411
Fax: 316-265-9415
mdetter@centralstatescapital.com

Dated December 8, 2014.

City of Meade, Kansas

*Preliminary; subject to change.

Doc. No. 043188
Article 11.—NATURAL GAS PIPELINE SAFETY

82-11-1. Definitions. The following terms, as used in this article and in the identified sections of the federal regulations adopted by reference, shall be defined as specified in this regulation:

(a) “Area of residential development” means a location in which over 25 residential customers are being, or are expected to be, added over the period in which the area is to be developed.

(b) “Barhole” means a small hole made near gas piping to extract air from the ground.

(c) “Combustible gas indicator” means a type of leak detection equipment capable of detecting and measuring gas concentrations in the atmosphere with minimum detection accuracy of 0.5% gas in the air.

(d) “Commission” means state corporation commission of Kansas.

(e) “Confined space” means any subsurface structure, including vaults, tunnels, catch basins and manholes, that is of sufficient size to accommodate a person and in which gas could accumulate.

(f) “Construction project” means the construction of either of the following:

(1) Any jurisdictional pipeline installation, including new, replacement, or relocation projects, in which the total piping installed during the project is in excess of 400 feet for small gas operators or 1,000 feet for all other gas operators; or

(2) any other significant pipeline installation that is subject to these safety standards.

(g) “Department of transportation” means U.S. department of transportation.

(h) “Exposed pipeline” means buried pipeline that has become uncovered due to erosion, excavation, or any other cause.

(i) “Flame ionization” means a type of leak detection equipment that uses a technology that continuously draws ambient air through a hydrogen flame and thereby provides an indication of the presence of hydrocarbons.

(j) “Gas-associated structure” means a device or facility utilized by a gas company, including a valve box, vault, test box, and vented casing pipe, that is not intended for storing, transmitting, or distributing gas.

(k) “Gas pipeline safety section” means the gas pipeline safety section of the state corporation commission of Kansas.

(l) “Inspector” means an employee of the gas pipeline safety section of the state corporation commission of Kansas.

(m) “Leak detection equipment” means a device, including a flame ionization unit, combustible gas indicator, and other equipment as approved by the gas pipeline safety section, that measures the amount of hydrocarbon gas in an ambient air sample.

(n) “Lower explosive limit” and “LEL” mean the lowest percent of concentration of natural gas in a mixture with air that can be ignited at normal ambient atmospheric temperature and pressure.

(o) “Odorometer” means an instrument capable of determining the percentage of gas in air at which the odor of the gas becomes detectible to an individual with a normal sense of smell.

(p) “Small gas operator” means an operator who engages in the transportation or distribution of gas, or both, in a system having fewer than 5,000 service lines.

(q) “Small substructure” means any subsurface structure, other than a gas-associated structure, that is of sufficient size to accommodate a person and in which gas could accumulate, including telephone and electrical ducts and conduit, and nonassociated valve and meter boxes.

(r) “Sniff test” means a qualitative test performed by an individual with a normal sense of smell. The test is conducted by releasing small amounts of gas in order to determine whether an odorant is detectible.

(s) “Town border station” means a pressure-limiting station that reduces the pressure of the gas stream delivered downstream of the station, normally located within or immediately adjacent to the gas purchase point, at which natural gas ownership passes from one party to another, neither of which is the ultimate consumer.

(t) “Underground leak classification” means the process of sampling the subsurface atmosphere for gas using a combustible gas indicator in a series of available openings or barholers over, or adjacent to, the gas facility. If applicable, the sampling pattern shall include sample points that indicate sustained readings of 0% gas in air in the four cardinal directions.

(u) “Utility division” means the utility division of the state corporation commission of Kansas.


82-11-4. Transportation of natural and other gas by pipeline; minimum safety standards. The federal rules and regulations titled “transportation of natural and other gas by pipeline; minimum safety standards,” 49 C.F.R. Part 192, including appendices B, C, D, and E, as in effect on October 1, 2013, with the exception of portions that include jurisdiction beyond the state of Kansas, including off-shore pipelines, the outer continental shelf, and states other than Kansas, are adopted by reference with the following exceptions, deletions, additions, and modifications:

(a) All instances of the word “administrator” shall be deleted and replaced with “commission.”

(b) 49 C.F.R. 192.7(b) shall be deleted and replaced by the following: “(b) Any incorporated document shall be available for inspection at the gas pipeline safety section’s Topeka, Kansas office. All incorporated materials are also available for inspection in the Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration,
sustained any visually determinable damage that could impair its serviceability. Except for short sections of pipe with external coating applied after installation, each coated length of pipe shall be checked for defects in the coating using an instrument that is calibrated according to manufacturer’s specifications prior to lowering the pipe into the ditch.”

(i) The following subsection shall be added to 49 C.F.R. 192.317: “(d) Each existing aboveground pipeline shall be placed underground, with the following exceptions:

“(1) Regulator station piping;
“(2) bridge crossings;
“(3) aerial crossings or spans;
“(4) short segments of piping for valves intentionally brought above the ground, including risers, piping at compressor, processing or treating facilities, block gate settings, sectionalizing valves and district regulator sites;
“(5) distribution mains specifically designed to be above the ground and have the approval of the landowner to provide service to commercial customers from the aboveground main and associated service line or lines; or
“(6) pipelines in class 1 locations that were in natural gas service before May 1, 1989.”

(j) The following shall be added to 49 C.F.R. 192.317: “(e) Each pipeline constructed after May 1, 1989, shall be placed under ground, with the following exceptions:

“(1) Regulator station piping;
“(2) bridge crossings;
“(3) aerial crossings or spans;
“(4) short segments of piping for valves intentionally brought above ground, including risers, piping at compressor, processing or treating facilities, block gate settings, sectionalizing valves and district regulator sites; or
“(5) distribution mains specifically designed to be above the ground and have the approval of the landowner to provide service to commercial customers from the aboveground main and associated service line or lines.”

(k) 49 C.F.R. 192.453 shall be deleted and replaced by the following: “(a) The corrosion control procedures required by 49 C.F.R. 192.605(b)(2), including those for the design, installation, operation, and maintenance of cathodic protection systems, must be carried out by, or under the direction of, a person qualified in pipeline corrosion control methods.

“(b) Any unprotected steel service or yard line found to have active corrosion shall be either provided with cathodic protection and monitored annually as required by K.A.R. 82-11-4 (o) or replaced. In areas where there is no active corrosion, each operator shall, at intervals not exceeding three years, reevaluate these pipelines.

“(c) In lieu of conducting electrical surveys on unprotected steel service lines and yard lines, each operator may implement one of the following options:

“(1) Conduct annual leakage surveys at intervals not exceeding 15 months, but at least once each calendar year, on all unprotected steel service lines and yard lines and initiate a program to apply cathodic protection for all unprotected steel service lines and yard lines; or
“(2) conduct annual leakage surveys at intervals not exceeding 15 months, but at least once each calendar year,
on all unprotected steel service lines and yard lines and initiate a preventative maintenance program for replacement of service and yard lines. The preventative maintenance program to be used in conjunction with the annual leak survey of unprotected steel service and yard lines shall include the following:

"(A) After the annual leakage survey of all unprotected steel service and yard lines is completed, the operator shall prepare a summary listing of the leak survey results.

"(B) The summary listing shall include the number of leaks found and the number of lines replaced in a defined area.

"(C) An operator’s replacement program for all service or yard lines in the defined area shall be initiated no later than when the sum of the number of unprotected steel service or yard lines with existing or repaired corrosion leaks and the number of unprotected steel service or yard lines already replaced due to corrosion equals 25% or more of the unprotected steel service or yard lines installed within that defined area.

"(D) The replacement program, once initiated for a defined area, shall be completed by an operator within 18 months.

"(E) Operators, at their option, may have separate preventative maintenance programs for service lines and yard lines but must consistently follow their selection.

"(d) For a city of the third class, or a city having a population of 2,000 or less, which is an operator of a natural gas distribution system, a replacement program for unprotected steel yard lines may comply with paragraph (c)(2)(D) of this section or include the following requirements in their replacement plan:

"(1) Perform leakage surveys at six-month intervals;

"(2) Notify all customers in the defined area with a written recommendation that all unprotected steel yard lines should be scheduled for replacement; and

"(3) Replace all unprotected steel yard lines in the defined area that exhibit active corrosion.”

(l) 49 C.F.R. 192.455(a) shall be deleted and replaced by the following: “(a) Except as provided in paragraphs (c) and (f) of this section, each buried, submerged pipeline, or exposed pipeline, installed after July 31, 1971, shall be protected against external corrosion by various methods, including the following:

"(1) An external protective coating meeting the requirements of 49 C.F.R. 192.461; and

"(2) A cathodic protection system designed to protect the pipeline in accordance with this subpart, installed and placed in operation within one year after completion of construction.”

(m) 49 C.F.R. 192.455(b) shall be deleted.

(n) 49 C.F.R. 192.457(b) shall be deleted and replaced by the following: “(b) Except for cast iron or ductile iron pipelines, each of the following buried, exposed or submerged pipelines installed before August 1, 1971, shall be cathodically protected in accordance with this subpart in areas in which active corrosion is found:

"(1) Bare or ineffectively coated transmission lines;

"(2) bare or coated pipes at compressor, regulator, and measuring stations; and

"(3) bare or coated distribution lines.”

(o) 49 C.F.R. 192.465(a) shall be deleted and replaced by the following: “Each pipeline that is under cathodic protection shall be tested at least once each calendar year, but in intervals not exceeding 15 months, to determine whether the cathodic protection meets the requirements of 192.463. If tests at those intervals are impractical for separately protected short sections of mains or transmission lines not in excess of 100 feet, or separately protected service lines, these pipelines may be surveyed on a sampling basis. At least one-third of the separately protected short sections, distributed over the entire system, shall be surveyed each calendar year, with a different one-third checked each subsequent year, so that the entire system is tested in each three-year period.”

(p) 49 C.F.R. 192.465(d) shall be deleted and replaced by the following: “(d) Each operator shall begin corrective measures within 30 days, or more promptly if necessary, on any deficiencies indicated by the monitoring.”

(q) 49 C.F.R. 192.465(e) shall be deleted and replaced by the following: “(e) After the initial evaluation required by 49 C.F.R. 192.455 (a) and K.A.R. 82-11-4(n), each operator shall, at least every three calendar years at intervals not exceeding 39 months, reevaluate its unprotected pipelines and cathodically protect them in accordance with this subpart in areas in which active corrosion is found. The operator shall determine the areas of active corrosion by electrical survey, where practical.”

(r) The following shall be added to 49 C.F.R. 192.465: “(f) It shall be considered practical to conduct electrical surveys in all areas, except the following:

"(1) Where the pipe lies under wall-to-wall pavement;

"(2) where the pipe is in a common trench with other utilities;

"(3) in areas with stray current; or

"(4) in areas where the pipeline is under pavement, regardless of depth, and more than two feet away from an unpaved area.

"(g) Where an electrical survey is impractical as listed in paragraph (f) of this section, the operator shall conduct leakage surveys using leak detection equipment in accordance with K.A.R. 82-11-4(ff) and evaluate for areas of active corrosion. The evaluation for active corrosion shall include review and analysis of leak repair records, corrosion monitoring records, exposed pipe inspection records, and the analysis of the pipeline environment.

"(h) For unprotected steel transmission lines and mains, a repair/replacement program shall be established based upon the number of leaks in a defined area.”

(s) 49 C.F.R. 192.491(a) shall be deleted and replaced by the following: “(a) For as long as the pipeline remains in service, each operator shall maintain records and maps to show the locations of all cathodically protected piping, cathodic protection facilities other than unrecorded galvanic anodes installed before August 1, 1971, and neighboring structures bonded to the cathodic protection system.”

(t) 49 C.F.R. 192.491(b) shall be deleted.

(u) 49 C.F.R. 192.509(b) shall be deleted and replaced by the following: “(b) Each steel main that is to be operated at less than 1 p.s.i.g. shall be tested to at least 10 p.s.i.g. and each main to be operated at or above 1 p.s.i.g. shall be tested to at least 100 p.s.i.g.”
(v) The following shall be added to 49 C.F.R. 192.517(a):

“(8) Test date. (9) Description of facilities being tested.”

(w) 49 C.F.R. 192.517(b) shall be deleted and replaced by the following: “(b) For any pipeline installed after May 1, 1989, each operator shall make, and retain for the useful life of the pipeline, a record of each test performed under §§ 192.509 as modified by K.A.R. 82-11-4(u), 192.511 and 192.513.”

(x) 49 C.F.R. 192.553(a)(1) shall be deleted and replaced by the following: “(1) At the end of each incremental increase, the pressure shall be held constant while the entire segment of pipeline that is affected is checked for leaks. This leak survey by flame ionization shall be conducted within eight hours after the stabilization of each incremental pressure increase provided in the uprating procedure. If the operator elects to not conduct the leak survey within the specified time frame because of nightfall or other circumstance, the pressure increment in the line shall be reduced that day with repetition of that particular increment during the next day that the uprating procedure is continued.”

(y) 49 C.F.R. 192.603(b) shall be deleted and replaced by the following: “(b) Each operator shall establish a written operating and maintenance plan meeting the requirements of this part and keep records necessary to administer the plan. This plan and future revisions shall be submitted to the gas pipeline safety section.”

(z) The following shall be added to 49 C.F.R. 192.603:

“(d) Each operator shall have regulator and relief valve test, maintenance and capacity calculation records in its possession whether the town border station is owned by the operator or by a wholesale supplier, if the supplier’s relief valve capacity is utilized to provide protection for the operator’s system.

“(e) Each operator shall be responsible for ensuring that all work completed by its consultants and contractors complies with this part.”

(aa) The following shall be added to 49 C.F.R. 192.605(b):

“(13) Classifying underground leaks according to K.A.R. 82-11-4(dd).

“(14) Performing leakage surveys of underground pipelines.

“(15) Identifying conditions which will require patrols of a distribution system at intervals shorter than the maximum intervals listed in K.A.R. 82-11-4(ee).”

(bb) 49 C.F.R. 192.617 shall be deleted and replaced by the following: “Investigation of failures. (a) Each operator shall establish procedures for analyzing accidents and failures, including:

“(1) The maintenance of records that contain information for each pipeline failure, including the type of pipe and the reason for failure.

“(2) The selection of samples of the failed facility or equipment for laboratory examination, where appropriate, for the purpose of determining the causes of the failure and minimizing the possibility of recurrence.

“(b) Each operator shall investigate each accident and failure.”

(cc) 49 C.F.R. 192.625(f) shall be deleted and replaced by the following:

“(f) Each operator shall ensure the proper concentration of odorant and shall maintain records of these samplings for at least two years in accordance with this section. Proper concentration of odorant shall be ensured by conducting periodic sampling of combustible gases as follows:

“(1) Conduct monthly odorometer sampling of combustible gases at selected points in the system; and

“(2) Conduct sniff tests during each service call where access to a source of gas in the ambient air is readily available.

“(g) Operators of master meter systems may comply with this requirement by the following:

“(1) Receiving written verification from their gas source that the gas has the proper concentration of odorant; and

“(2) Conducting periodic sniff tests at the extremities of the system to confirm that the gas contains odorant.”

(dd) 49 C.F.R. 192.703 shall be deleted and replaced by the following: “General. (a) No person shall operate a segment of pipeline unless it is maintained in accordance with this subpart.

“(b) Odorometers and leak detection equipment shall be calibrated according to manufacturer’s specifications. Leak detection equipment shall be tested monthly with a calibration gas of known hydrocarbon concentration, except that if equipment is not used, then testing with calibration gas shall be performed prior to the next use.

“(c) Each segment of pipeline that becomes unsafe shall be replaced, repaired or removed from service within five days of the operator being notified of the existence of the unsafe condition. Minimum requirements for response to each class of leak are as follows:

“(1) A class 1 leak requires immediate repair or continuous action until the conditions are no longer hazardous.

“(2) A class 2 leak shall be repaired within six months after detection. Under adverse soil conditions, a class 2 leak shall be monitored weekly to ensure that the leak will not represent a probable hazard and that it reasonably can be expected to remain nonhazardous.

“(3) A class 3 leak shall be rechecked at least every six months and repaired or replaced within 30 months.

“(d) Each operator shall inspect and classify all reports of gas leaks within two hours of notification.

“(e) Each underground leak shall be classified using the operator’s underground leak classification procedure as follows:

“(1) A class 1 leak means a leak that represents an existing or probable hazard to persons or property, and requires immediate repair or continuous action until the conditions are no longer hazardous. This class of leak may include the following conditions:

“(A) Any leak which, in the judgment of operating personnel at the scene, is regarded as an immediate hazard;

“(B) Any leak in which escaping gas has ignited;

“(C) Any indication that gas has migrated into or under a building, or into a tunnel;

“(D) Any percentage reading gas in air at the outside wall of a building, or where gas would likely migrate to an outside wall of a building; (continued)
“(E) any reading of 4% gas in air, or greater, in a confined space;
“(F) any reading of 4% gas in air, or greater, in a small substructure from which gas would likely migrate to the outside wall of a building; or
“(G) any leak that can be seen, heard, or felt, and which is in a location that may endanger the general public or property.

“(2) A class 2 leak means a leak that is nonhazardous at the time of detection, but justifies scheduled repair based on probable future hazard. This class of leak may include the following conditions:

“(A) any reading of 2% gas in air, or greater, under a sidewalk in a wall-to-wall paved area that does not qualify as a class 1 leak;
“(B) any reading of 5% gas in air, or greater, under a street in a wall-to-wall paved area that has significant gas migration and does not qualify as a class 1 leak;
“(C) any reading less than 4% gas in air in a small substructure from which gas would likely migrate creating a probable future hazard;
“(D) any reading between 1% gas in air and 4% gas in air in a confined space;
“(E) any reading on a pipeline operating at 30% SMYS, or greater, in a class 3 or 4 location, which does not qualify as a class 1 leak;
“(F) any reading of 4% gas in air, or greater, in a gas-associated substructure; or
“(G) any leak which, in the judgment of operating personnel at the scene, is of significant magnitude to justify scheduled repair.

“(3) A class 3 leak means a leak that is nonhazardous at the time of detection and can reasonably be expected to remain nonhazardous. This class of leak may include the following conditions:

“(A) any reading of less than 4% gas in air in a small gas-associated substructure;
“(B) any reading under a street in areas without wall-to-wall paving where it is unlikely the gas could migrate to the outside wall of a building; or
“(C) any reading of less than 1% gas in air in a confined space.”

(ee) 49 C.F.R. 192.721 shall be deleted and replaced by the following three paragraphs: “(a) The frequency with which pipeline facilities are patrolled shall be determined by the severity of the conditions which could cause failure or leakage, and the consequent hazards to public safety.

“(b) Intervals between patrols shall not be longer than those prescribed in the following table:

<table>
<thead>
<tr>
<th>Location of Line</th>
<th>Mains in places or on structures where anticipated physical movement or external loading could cause failure or leakage</th>
<th>Mains at all other locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inside business districts</td>
<td>4½ months, but at least four times each calendar year</td>
<td>7½ months, but at least twice each calendar year</td>
</tr>
<tr>
<td>Outside business districts</td>
<td>7½ months, but at least twice each calendar year</td>
<td>18 months, but at least once each calendar year</td>
</tr>
</tbody>
</table>

“(c) Service lines and yard lines shall be patrolled at least once every three calendar years at intervals not exceeding 42 months.”

(ff) 49 C.F.R. 192.723 shall be deleted and replaced by the following:

“Distribution systems: leak surveys and procedures.

“(a) Each operator of a distribution system shall conduct periodic leakage surveys using leak detection equipment in accordance with this section. The leak detection equipment used for this survey shall utilize a continuously sampling technology.

“(b) The type and scope of the leakage control program shall be determined by the nature of the operations and the local conditions. A leakage survey using leak detection equipment shall be conducted on all distribution mains and shall meet the following minimum requirements:

“(1) In business districts, a leakage survey shall include tests of the atmosphere in gas, electric, telephone, sewer and water system manholes, at cracks in pavement and sidewalks, and at other locations providing an opportunity for finding gas leaks. This survey shall be conducted at intervals on the distribution mains within the business district as frequently as necessary with the maximum interval between surveys not exceeding 15 months, but at least once each calendar year.

“(2) A leakage survey with leak detection equipment shall be conducted on the distribution mains outside the business areas. The survey shall be made as frequently as necessary, but it shall meet the following minimum requirements:

“i. Cathodically unprotected steel mains and ductile iron mains located in class 2, 3, and 4 areas shall be surveyed at least once each calendar year at intervals not exceeding 15 months.

“ii. Cathodically unprotected steel mains and ductile iron mains located in class 1 areas, cathodically protected bare steel mains, cast iron mains, and mains constructed of PVC plastic shall be surveyed at least once every three calendar years at intervals not exceeding 39 months.

“iii. Cathodically protected externally coated steel mains and mains constructed of polyethylene plastic shall be surveyed at least once every five calendar years at intervals not exceeding 63 months.

“(c) Except for the service lines and yard lines described in paragraph (d) of this section, a leakage survey using leak detection equipment shall be conducted for all service lines and yard lines as follows:

“(1) In business districts, this survey shall be conducted as frequently as necessary with the maximum interval between surveys not exceeding 15 months, but at least once each calendar year.

“(2) Outside business districts, the survey shall be made as frequently as necessary, but it shall meet the following minimum requirements:

“i. Cathodically unprotected steel service or yard lines and service or yard lines constructed of PVC plastic, cast iron, or copper shall be surveyed at least once each calendar year at intervals not exceeding 15 months.

“ii. Cathodically protected bare steel service or yard lines shall be surveyed at least once every three years at intervals not exceeding 39 months.
“iii. Cathodically protected externally coated steel service or yard lines and service or yard lines constructed of polyethylene plastic shall be surveyed at least once every five calendar years at intervals not exceeding 63 months.

“(d) For yard lines more than 300 feet in length and operating at a pressure less than 10 p.s.i.g., only the portion within 300 feet of a habitable dwelling must be leak surveyed in accordance with these regulations.

“(e) Each operator’s operations and maintenance manual shall state that company-designated employees are to be trained in and conduct vegetation leak surveys where vegetation is suitable to such analysis.

“(f) Each leakage survey record shall be kept for at least six years.”

“(gg) The following shall be added to 49 C.F.R. 192.755:

“(c) Each operator with cast iron piping shall institute all of the following for the purposes of evaluation and replacement of cast iron pipelines:

“(1) Each time a leak in the body of a cast iron pipe is discovered, collect a coupon from the joint of pipe that is leaking within five feet of the leak site.

“(2) Conduct laboratory analysis on all coupons to determine the percentage of graphitization. Using the following equation:

\[
\text{Percent of Graphitization} = \frac{\text{Maximum Depth of Graphitization}}{\text{Wall Thickness}} \times 100
\]

“(3) Replace at least one city block (approximately 500 feet) within 120 days of the operator’s discovery of a leak in cast iron pipe due to external corrosion or each time the laboratory analysis of a coupon shows graphitization equal to or greater than the following:

<table>
<thead>
<tr>
<th>Diameter</th>
<th>Percent Graphitization</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.0 inch</td>
<td>25%</td>
</tr>
<tr>
<td>3.0 inch and 4.0 inch</td>
<td>60%</td>
</tr>
<tr>
<td>6.0 inch and 8.0 inch</td>
<td>75%</td>
</tr>
<tr>
<td>10.0 inch or greater</td>
<td>90%</td>
</tr>
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</table>

“(4) Submit coupons for analysis within 30 days of collection. Retain all sampling records for the life of the facility, but not less than five years.

“(5) For each operator with cast iron piping that is 3 inches or less in nominal diameter, have a replacement program that will remove all cast iron piping with nominal diameter of 3 inches and smaller from natural gas service by January 1, 2013.”


82-11-11. Fees. (a) Except as specified in subsection (b), the fee for each person covered under K.S.A. 66-1,153 and K.S.A. 66-1,154, and amendments thereto, shall be $1.00 per meter for each calendar year.

(b) The minimum annual fee shall not be less than $100.00 for each calendar year. The maximum annual fee shall not exceed $10,000.00 for each calendar year. (Authorized by and implementing K.S.A. 2013 Supp. 66-1,153 and K.S.A. 66-1,154; effective March 12, 1999; amended Jan. 9, 2015.)

Thomas A. Day
Acting Executive Director

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

<table>
<thead>
<tr>
<th>Reg. No.</th>
<th>Action</th>
<th>Register</th>
</tr>
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<tbody>
<tr>
<td>1-9-22</td>
<td>Amended</td>
<td>V. 33, p. 885</td>
</tr>
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<td>1-14-11</td>
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<td>V. 33, p. 886</td>
</tr>
</tbody>
</table>

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

<table>
<thead>
<tr>
<th>Reg. No.</th>
<th>Action</th>
<th>Register</th>
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</thead>
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<td>Amended</td>
<td>V. 33, p. 325</td>
</tr>
<tr>
<td>5-7-4</td>
<td>Amended</td>
<td>V. 33, p. 325</td>
</tr>
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<td>5-7-4b</td>
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<td>V. 33, p. 326</td>
</tr>
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AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

<table>
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<tr>
<th>Reg. No.</th>
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<td>9-3-6</td>
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<tr>
<td>9-29-1</td>
<td></td>
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<td>9-29-15</td>
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AGENCY 10: KANSAS BUREAU OF INVESTIGATION

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<td>10-10-5</td>
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<td>V. 33, p. 921</td>
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</table>

AGENCY 16: ATTORNEY GENERAL

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<td>V. 33, p. 730</td>
</tr>
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<td>16-11-7</td>
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<td>V. 33, p. 1047</td>
</tr>
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<td>16-13-1</td>
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<td>V. 33, p. 731</td>
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<td>16-13-1</td>
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AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

<table>
<thead>
<tr>
<th>Reg. No.</th>
<th>Action</th>
<th>Register</th>
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<td>V. 33, p. 684</td>
</tr>
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<td>17-11-21</td>
<td>Amended</td>
<td>V. 33, p. 684</td>
</tr>
<tr>
<td>17-24-2</td>
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<td>V. 33, p. 946</td>
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<td>V. 33, p. 946</td>
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AGENCY 21: DEPARTMENT OF AGRICULTURE—DIVISION OF WEBS AND PEST CONTROL

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<td>V. 33, p. 593</td>
</tr>
<tr>
<td>21-2-5</td>
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<td>V. 33, p. 595</td>
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<td>21-2-7</td>
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AGENCY 22: STATE FIRE MARSHAL

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</tr>
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<td>V. 33, p. 371</td>
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<td>22-6-3</td>
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<td>V. 33, p. 371</td>
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AGENCY 26: DEPARTMENT FOR AGING AND DISABILITY SERVICES

<table>
<thead>
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AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

<table>
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<tr>
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</tr>
<tr>
<td>28-4-500</td>
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<td>V. 33, p. 200</td>
</tr>
<tr>
<td>28-4-552</td>
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<td>V. 33, p. 202</td>
</tr>
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</table>

(continued)
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. 25, December 28, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 25, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 25, 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.