

Kansas Administrative Regulations

Department of Health and Environment

Article 15.—Application for Permits; Domestic Water Supply

28-15-16. Permit requirements for public water supply systems.

(a) Each supplier of water, as defined in K.S.A. 65-162a, and amendments thereto, shall be required to have a public water supply system permit issued by the secretary.

(b) Each supplier of water shall submit a public water supply system permit application to the secretary for review and consideration for approval. The public water supply system permit application shall be approved by the secretary before the use of a source of water supply or the construction of any of the following by the supplier of water:

- (1) New sources of water supply;
- (2) pumping facilities;
- (3) finished water storage facilities;
- (4) water treatment plants, facilities, or systems;
- (5) water distribution systems;
- (6) chemical storage, handling, and application facilities; or
- (7) waterline extensions to or replacements of segments of existing water distribution systems, unless the supplier of water meets the requirements of subsection (e).

(c) The supplier of water shall not start construction of any appurtenances listed in subsection (b) until the secretary approves the public water supply system permit application and notifies the supplier of water that construction may start. Each supplier of water shall submit a new public water supply system permit application to the

secretary for review and consideration for approval if the supplier of water does not start construction within two years of the approval date of the permit application.

(d) In addition to meeting the requirements specified in K.S.A. 65-163 and amendments thereto, each supplier of water shall submit as part of the public water supply system permit application the results of an analysis performed by a state-certified laboratory regarding the physical, bacteriological, chemical, and radiological constituents of the raw water to ensure that the proposed water treatment facilities will produce potable water meeting the primary drinking water regulations established in article 15a of the agency's regulations.

(e) Suppliers of water shall not be required to seek approval for construction of waterline extensions or replacements, and the secretary shall not issue a public water supply system permit if the following conditions are met:

(1) The waterline extensions to or replacements of segments of existing water distribution systems were previously approved by the secretary or constructed pursuant to this subsection;

(2) the water distribution system extension piping to be constructed is 16 inches or less in diameter;

(3) the water distribution system replacement piping to be designed and constructed shall be placed within the same general corridor as the segment of the water distribution system being replaced. The general corridor could include an existing or new utility easement or road right-of-way;

(4) the water distribution system replacement piping shall not be increased beyond 16 inches in diameter;

(5) the design of the water distribution system extension or replacement piping complies with the requirements of the department's policies, general considerations and design requirements for public water supply systems in Kansas;

(6) the supplier of water has standard waterline construction specifications and details approved by the secretary; and

(7) the supplier of water has obtained a water distribution extension or replacement certification from the secretary pursuant to subsection (f).

(f) Each supplier of water shall meet the following requirements to obtain a one-year water distribution system extension or replacement certification:

(1) Submit an application to the department for certification;

(2) comply with all requirements outlined in the certification approval issued by the secretary;

(3) design all water distribution system extensions or replacements under a professional engineer as defined by K.S.A. 74-7003, and amendments thereto; and

(4) employ a full-time qualified professional engineer as defined by K.S.A. 74-7003, and amendments thereto, responsible for approving the design of water distribution system extensions or replacements, separate from the full-time qualified professional engineer that designs the water distribution system extension or replacements.

(g) Upon obtaining the one-year water distribution system extension or replacement certification, the supplier of water shall:

(1) Maintain records of all water distribution system extensions and replacements approved pursuant to subsection (f) and make the records available for review and inspection by the department upon request; and

(2) submit an annual report to the department within 30 days following June 30 each year describing the water distribution system extensions or replacements according to the certification approval issued by the secretary.

(Authorized by K.S.A. 65-171m; implementing K.S.A. 2025 Supp. 65-163; effective May 1, 1982; amended Jan. 9, 1995; amended Oct. 1, 2004; amended July 24, 2026.)

***** Authenticated Kansas Administrative Regulation *****