

Kansas Administrative Regulations

Kansas Department of Agriculture

Article 4.—Commercial Fertilizers

4-4-985. Application for new or modified bulk fertilizer storage facilities.

(a) Before beginning construction, the owner or operator of each proposed new or modified bulk fertilizer storage facility shall submit to the secretary a complete application. The applicant shall provide proof sufficient to the secretary that the design will meet or exceed the applicable requirements contained in K.A.R. 4-4-900 through K.A.R. 4-4-986.

(b)(1) Each application shall be submitted on forms provided by the secretary. Each applicant shall complete and submit the application according to the directions on the forms. The applicant shall identify all confidential business information. Each application shall include the following:

(A) A location area map;

(B) a detailed plot plan of the facility;

(C) a water line backflow protection schematic diagram;

(D) detailed construction plans and specifications;

(E) a process flow diagram for the facility; and

(F) any additional relevant information regarding the safe handling of bulk fertilizers that the applicant or secretary deems necessary.

(2)(A) In addition to meeting the requirements listed in paragraph (b)(1) of this regulation, each application for a bladder tank shall also meet the requirements of K.A.R. 4-4-986.

(B) In addition to meeting the requirements listed in paragraph (b)(1) of this regulation, each application for an alternative design shall meet the requirements of K.A.R. 4-4-956.

(c) The application shall specify the physical location and the mailing address of the facility, if different from the address on the application.

(d) All construction plans and specifications for the facility submitted as part of the application shall be drawn to scale, be clearly and completely labeled, and be legible without magnification. The plans and specifications shall at a minimum contain the following:

- (1) A plot plan or map of the property that shows all structures and the location of all wells, utility poles, and drainage systems on the site;
- (2) the location of the facility relative to the floodplain;
- (3) the approximate distance from, the direction to, and the identity of all lakes, streams, drainage ditches, and storm drains within 1,320 feet of the facility;
- (4) the drainage pattern of the facility;
- (5) the distance from and direction to all public and private water wells within the facility or within 1,320 feet of the facility;
- (6) the location of all abandoned wells within 300 feet of the facility;
- (7) the site soil characteristics;
- (8) the depth to groundwater;
- (9) the location of all utility service entrances and easements or rights-of-way within the facility;
- (10) the construction plans for the secondary and operational area containment;
- (11) the manufacturer's installation instructions, estimated life expectancy, and confirmation of compatibility with fertilizer material, if any synthetic liners, synthetic materials, or prefabricated basins are used in the containment structure; and
- (12) the location of any tank or other container used for the storage of petroleum products within the storage facility, if any.

(e) Each set of construction plans and specifications for a bulk fertilizer secondary containment structure shall, at a minimum, contain the following:

- (1) The size and location of each proposed secondary containment structure;
- (2) the size and location of all bulk fertilizer storage containers or bins, pumps, piping, and appurtenances;
- (3) the size and location of all operational areas and load pads;
- (4) the drainage pattern and sump location; and
- (5) the calculated capacity of each containment structure in gallons or cubic feet.

(f) Elevation plans or maps shall be included with the application and shall show the location of all bulk fertilizer storage tanks and their horizontal, raised, or vertical positioning within the secondary containment and a tank schedule that provides all of the following information for each tank:

- (1) The construction material;
- (2) the capacity;
- (3) the diameter or dimensions;
- (4) the height; and
- (5) the date of installation.

(g) Each construction or modification project shall conform with the plans and specifications identified in the approved application and required by this regulation.

(h) Upon completion of construction or modification and before use of the newly constructed or modified portion of the facility, the owner or operator shall provide the secretary with certification that all construction or modification was completed in accordance with this regulation.

(i) Sources outside of the Kansas department of agriculture may be utilized by the secretary for assistance in evaluating any alternative design application submitted.
(Authorized by K.S.A. 2-1227; implementing K.S.A. 2-1228; effective July 18, 2003.)

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