

Kansas Administrative Regulations

Department of Health and Environment

Article 29.—Solid Waste Management

28-29-1607. Land-spreading; operating and management requirements.

Each operator that conducts land-spreading shall meet all of the following requirements:

(a) Storage of drilling waste. The operator shall store the drilling waste at the site of generation in pits permitted by the KCC or in tanks until the drilling waste is transported to the disposal site. The operator may store drilling waste in sealed tanks at the disposal site for no more than 24 hours before the drilling waste is land-spread.

(b) Time frame for land-spreading. The operator shall comply with the following:

(1) Complete the land-spreading within the approval period specified in K.A.R. 28-29-1601; and

(2) notify the appropriate KCC district office at least 48 hours before land-spreading.

(c) Composition of drilling waste. The operator shall land-spread only if the composition of the drilling waste meets the following requirements:

(1) The chloride concentration of the drilling waste is less than 10,000 parts per million (ppm). The operator may blend drilling waste that has a chloride concentration greater than 10,000 ppm with drilling waste that has a chloride concentration of less than 10,000 ppm to create a combined drilling waste that has a chloride content of less than 10,000 ppm.

(2) The NORM level in the drilling waste, as identified through any subsequent sampling and analysis, remains consistent with the information submitted with the application. If the observed NORM level in the drilling waste is more than 370 Bq/kg (10 pCi/g), the operator shall immediately cease land-spreading and shall notify the KCC within two business days. The operator shall evaluate the condition of the land-spreading site to determine any potential site impact and perform all corrective measures required by the KCC or the department to protect human health or safety or

the environment. The operator shall not conduct any additional land-spreading at the site unless authorized by the KCC.

(d) Weather restrictions. The operator shall not conduct land-spreading if at least one of the following conditions exists at the disposal site:

(1) Precipitation is occurring or, according to national weather service predictions, has a greater than 50 percent probability of occurring within 24 hours after the land-spreading is completed.

(2) The soil cannot readily absorb the moisture content of the drilling waste due to soil moisture content or frozen soil, or for any other reason.

(e) Land-spreading requirements. The operator shall land-spread according to all of the following requirements:

(1) The operator shall land-spread at a rate no greater than the land-spreading rate calculated using the land-spreading worksheet.

(2) The operator shall, as much as possible, land-spread so that the drilling waste has a uniform thickness over the disposal site.

(3) The operator shall limit the average thickness of the drilling waste to the calculated depth, unless the calculated depth is more than two inches. If the calculated depth is more than two inches, the operator shall limit the average thickness of the drilling waste to no more than two inches.

(4) The operator shall land-spread in a manner that prevents the drilling waste from either ponding on the disposal site or running off the disposal site or into buffer zones.

(5) The operator shall land-spread according to the methods described in the approved application. If any deviation from the approved methods occurs and the deviation could result in a chloride loading rate greater than the rate approved by the KCC, the operator shall report the deviation to the KCC by the end of the next business day.

(f) Incorporation. The operator shall incorporate the drilling waste into the soil if the precipitation in the county in which the disposal site is located averages more than 25 inches per year. The following counties and any county located east of these counties shall be designated as meeting this condition: Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, and Harper.

The operator shall incorporate the drilling waste into the soil using standard agricultural methods, including discing, plowing, knifing, and shallow injection. This procedure shall be performed as soon as possible and not later than 48 hours after land-spreading is completed. The operator shall incorporate the drilling waste into the soil according to the methods described in the approved application.

(g) Land restoration. The operator shall take steps to restore the land-spreading area as described in the approved application.

(Authorized by and implementing K.S.A. 2012 Supp. 65-3407c; effective Oct. 11, 2013.)

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