

Kansas Administrative Regulations

Department of Health and Environment

Article 46.—Underground Injection Control Regulations

28-46-40. Exempted aquifers.

(a) An aquifer may be designated by the secretary as exempt from protection as an underground source of drinking water. Criteria for exemption may include whether the aquifer meets one of the following conditions:

- (1) Contains water with more than 10,000 milligrams per liter of total dissolved solids;
- (2) produces mineral, hydrocarbon, or geothermal energy; or
- (3) is situated at a depth that makes the recovery of water economically impractical.

(b) Each request to exempt an aquifer under subsection (a) shall be first submitted to and approved by the administrator of the United States environmental protection agency.

(Authorized by and implementing K.S.A. 2009 Supp. 55-1,117 and 65-171d; effective May 1, 1982; amended, T-86-47, Dec. 19, 1985; amended May 1, 1986; amended Aug. 6, 2010.)

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