

Kansas Administrative Regulations

Kansas Department of Agriculture

Article 4.—Commercial Fertilizers

4-4-902. Prohibition against underground storage.

(a) From and after the effective date of this regulation, no person shall construct new storage containers for underground storage of fluid fertilizer. This prohibition does not apply to:

(1) a watertight catch basin used for the temporary collection of runoff or rinsate from transfer and loading areas; or

(2) storage in a stainless steel storage container, or other approved storage container, if:

(A) the storage container is enclosed within an approved liner as required by K.A.R. 4-4-933; and

(B) an approved program of ground water monitoring has been established to detect leakage.

(b) From and after the effective date of this regulation, wherever an underground storage container for the storage of bulk fertilizer already exists, a leak detection and liquid recovery system shall be installed within the time prescribed by K.A.R. 4-4-952.

(c) The liquid recovery portion of the system shall be located under the lowest area of the storage container and shall contain:

(1) a moisture barrier located below the storage container extending at least to the storage container's edges and draining into a collection sump;

(2) a collection sump equipped with a liquid activated pump to transfer collected liquid to another storage container located on or above ground level; and

(3) an alarm system which is activated whenever the pump is activated and which remains activated until manually reset.

(d) For purposes of this regulation, the term "underground storage container" includes every storage container having more than 10% of its capacity, including the capacity of any piping, located below the soil surface.

(e) From and after January 1, 1994, no fertilizer shall be stored in an underground storage container.

(Authorized by and implementing K.S.A. 1989 Supp. 2-1227; effective Jan. 14, 1991.)

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