

Kansas Administrative Regulations

Department of Health and Environment

Article 15.—Application for Permits; Domestic Water Supply

28-15-50. Definitions.

For the purposes of these regulations, the following words and phrases are defined as follows:

(a) "Capacity" means the technical, managerial, and financial ability to comply with applicable national primary drinking water standards.

(b) "Conservation plans and practices" means conservation plans and practices approved by either the Kansas water office or the division of water resources, Kansas department of agriculture, as consistent with guidelines developed and maintained by the Kansas water office pursuant to K.S.A. 74-2608 and amendments.

(c) "Debt service coverage ratio" means the sum of net income plus interest expense plus depreciation, divided by the sum of principal and interest payments for debt service.

(d) "Department" means the Kansas department of health and environment.

(e) "Disadvantaged community" means a loan applicant or the service area of a loan applicant that meets affordability criteria established by the secretary.

(f) "Equivalency" means that portion of the Kansas water supply loan fund that is equal to the amount of capitalization grants provided by the federal government.

(g) "Equivalency project" means a project that is funded from the equivalency portion of the Kansas water supply loan fund.

(h) "Fund" means the Kansas water supply fund established by K.S.A. 1996 Supp. 65-163e et seq., and amendments, and may consist of more than one pool of money.

(i) "Intended use plan" means the plan prepared according to K.S.A. 1996 Supp. 65-163h and amendments.

(j) "Loan agreement" means an executed contract between a loan applicant and the secretary confirming the purpose of the loan, the amount and terms of the loan, the

schedule of the loan payments and requirements, and any other agreed upon conditions set forth by the secretary.

(k) "Loan applicant" means one of the following:

(1) any political or taxing subdivision authorized by law to construct, operate, and maintain a public water supply system, including water districts;

(2) two or more such subdivisions jointly constructing, operating, or maintaining a public water supply system; or

(3) the Kansas rural water finance authority.

(l) "National primary drinking water standards" means a regulation that specifies either a maximum contaminant level or a treatment technique along with associated monitoring and reporting requirements for contaminants with adverse health effects on persons.

(m) "Project completion" means the initiation of operation or the ability to initiate operation.

(n) "Project" means acquisition, construction, reconstruction, improving, equipping, rehabilitation, or extension of all or any part of a public water supply system.

(o) "Public water supply system" has the meaning provided by K.S.A. 65-162a and amendments.

(p) "Secretary" means the secretary of health and environment.

(q) "Significant noncompliance" means failure to comply with any national primary drinking water standard according to criteria established by the administrator of the federal environmental protection agency.

(r) "Water transfer" has the meaning provided by K.S.A. 1996 Supp. 82a-1501 and amendments.

(Authorized by K.S.A. 1996 Supp. 65-163f; implementing K.S.A. 1996 Supp. 65-163d, as amended by 1997 S.B. 40, sec. 1, and K.S.A. 1996 Supp. 65-163e through 65-163u; effective Oct. 10, 1997.)

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