

Kansas Administrative Regulations

Department of Health and Environment

Article 29.—Solid Waste Management

28-29-1600. Land-spreading; definitions and adoptions.

(a) As used in K.A.R. 28-29-1600 through K.A.R. 28-29-1608, each of the following terms shall have the meaning specified in this regulation:

(1) "Application" means land-spreading application. This term shall include the forms provided by the KCC and all other required submissions.

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

(3) "Drilling waste" means used drilling mud and cuttings generated by the drilling of oil and gas wells or related injection wells that are permitted by the KCC or by the equivalent permitting authority in the state in which the well is located. This term shall not include hydraulic fracturing fluids.

(4) "GPS" means global positioning system.

(5) "Habitable structure" means any structure that is occupied by humans or maintained in a condition that allows it to be occupied by humans. This term shall include dwellings, churches, schools, care facilities, public buildings, office buildings, commercial buildings, and industrial buildings.

(6) "KCC" means Kansas corporation commission.

(7) "Land-spreading" means the disposal of drilling waste by spreading the drilling waste on the land. This term shall not include the use of drilling waste as a product, as described in K.S.A. 65-3409 and amendments thereto, including the use of drilling waste in the construction and maintenance of roads and ponds.

(8) "Land-spreading worksheet" means the land-spreading rate calculation worksheet provided by the KCC.

(9) "NORM" means naturally occurring radioactive material.

(10) "NORM level" means the concentration of residual NORM radium-226 and radium-228 and their progeny as measured in becquerels per kilogram (Bq/kg) or picocuries per gram (pCi/g).

(11) "Operator" means operator, as defined in K.A.R. 82-3-101, of each well that generated the drilling waste.

(12) "Secretary" means secretary of health and environment.

(13) "Water-based drilling mud" means drilling mud that meets both of the following conditions:

(A) The drilling mud consists primarily of bentonite suspended in water.

(B) The liquid component of the drilling mud consists of no more than six percent oil or any oil derivative, including diesel fuel and asphalt blend oil.

(b) The following documents are hereby adopted by reference:

(1) "Standard test method for particle-size analysis of soils," D422-63, published October 2007 by ASTM international; and

(2) section 3.2 on pages 40 through 65 of "soil survey field and laboratory methods manual," soil survey investigations report no. 51, version 1.0, issued in 2009 by the U.S. department of agriculture, natural resources conservation service.

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

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