

Kansas Administrative Regulations

Department of Health and Environment

Article 73.—Environmental Use Controls Program

28-73-2. Application.

(a) Each applicant shall submit an application to the secretary, as provided by the act and these regulations.

(b) If an application is determined by the secretary to be incomplete, written notification shall be provided to the applicant by the secretary identifying the documentation, data, or other information that is needed to complete the application, and the application shall be returned to the applicant. The applicant may then submit a revised application package, provide the additional information as required by the secretary, or withdraw the application.

(c) If the applicant is a person or entity that does not own the eligible property, but is the landowner's authorized representative, the applicant shall provide a notarized statement from the landowner or landowners specifically authorizing the applicant to act on the landowner's behalf or a judicial decree assigning this authority to the applicant.

(d) If the owner of the eligible property is a local, state, or federal governmental entity, the signature of an authorized governmental official shall be considered as a sufficient basis for executing and submitting the application.

(Authorized by K.S.A. 2004 Supp. 65-1,232; implementing K.S.A. 2004 Supp. 65-1,221, 65-1,222, and 65-1,224; effective April 7, 2006.)

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