

Kansas Administrative Regulations

Kansas Department of Agriculture

Article 4.—Commercial Fertilizers

4-4-921. Record keeping.

(a) Records required to be maintained. Each of the following records shall be prepared by the operator of the storage facility and kept at the storage facility affected, or at the nearest local office from which the storage facility is administered.

(1) A record shall be completed on the day of discovery of all discharges of either 1,000 pounds or more of dry fertilizer outside the handling or working area or 100 gallons or more of liquid fertilizer into the secondary containment structure or area or any other portion of the storage facility including:

(A) the date and time of discharge, if known;

(B) the type of fluid or dry bulk fertilizer discharged;

(C) the volume of the discharged fertilizer;

(D) the cause of the discharge;

(E) the action taken, if any, to control or recover the discharged fertilizer; and

(F) the method of use or disposal of any recovered discharge. Updates of this record shall be made promptly showing the measures taken to control, recover, use or dispose of the discharge.

(2) An inventory record shall be kept of each fertilizer product.

(3) Any difference between the volume of each fertilizer product as shown in the inventory and the volume as measured which exceeds one per cent for a liquid fertilizer product or two per cent for a dry fertilizer product shall be reported to the secretary within three working days.

(4) A semi-annual inventory reconciliation shall be made at the end of June and December each year which shows the amount of fluid and dry bulk fertilizer which has been lost or unaccounted for from each storage container.

(5) Any difference between the volume of each fertilizer product as shown in the inventory and the volume as shown in the preceding inventory reconciliation which

exceeds one per cent of the current inventory for each liquid fertilizer product or two per cent of the current inventory for each dry fertilizer product shall be reported to the secretary within three working days.

(6) A record shall be kept of the dates storage containers, appurtenances, operational area containment facilities, and secondary containment facilities were inspected and what maintenance or repairs, if any, were made.

(7) A record shall be kept listing the size and location of each abandoned storage container, if any.

(b) Period required for maintenance of records.

(1) Except as provided in subparagraph (b)(2), the records required by paragraph (a) shall be maintained for at least 5 years.

(2) Records required under subparagraph (a)(7) of this regulation shall be maintained as permanent records.

(3) Except for records required by paragraph (a), all other records required by K.A.R. 4-4-900 et seq. shall be maintained for at least 3 years.

(c) All records shall be available for inspection and copying by the secretary.
(Authorized by and implementing K.S.A. 1989 Supp. 2-1227; effective Jan. 14, 1991.)

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