

Kansas Administrative Regulations

Department of Health and Environment

Article 66.—Local Environmental Protection Grant Program

28-66-1. Definitions.

As used in K.A.R. 28-66-1 through 28-66-4 unless otherwise specified:

(a) "Base grant" means state water plan fund monies allocated to the Kansas department of health and environment and awarded to local entities for the purpose of developing and implementing a local environmental protection plan for a term which coincides with the state fiscal year.

(b) "Core program" means services that shall be provided by each local entity that is awarded a base grant, and which include the following:

(1) The development and implementation of an annual local environmental protection plan;

(2) the development, implementation, and enforcement of an environmental code which has been approved by the secretary of KDHE and which establishes standards for the management of on-site wastewater systems for the treatment and disposal of domestic sewage only;

(3) the development, implementation and enforcement of an environmental code which has been approved by the secretary of KDHE and which establishes standards for the management water supply wells which do not meet the definition of a public water supply well pursuant to K.S.A. 65-162a (b);

(4) information, education, and technical assistance; and

(5) organization and coordination of a local environmental protection committee to provide advice and counsel to the local entity on the content and administration of the local environmental protection plan.

(c) "KDHE" means the Kansas department of health and environment.

(d) "Local environmental protection plan" means a document revised annually by the local entity which includes objectives and workplans intended to implement the

environmental protection strategy of the state water plan and which serves as the application for a base grant.

(e) "Local entity" means a county health department formed pursuant to K.S.A. 19-3701 et seq. and amendments thereto, other local entity formed under the power of the board of county commissioners to conduct any of the business of the county pursuant to K.S.A. 1992 Supp. 19-101a, or a multi-county entity formed pursuant to K.S.A. 12-2901 et seq. and amendments thereto.

(f) "Program guidelines" means a document prepared by KDHE by April 1 of each year which establishes program priorities, grant application and program reporting procedures, and other pertinent grant instructions for the next state fiscal year.

(g) "Secretary" means the secretary of KDHE.

(h) "Supplemental program" means any of the following:

(1) The development and implementation of a plan for subdivision water and wastewater pursuant to K.S.A. 1992 Supp. 12-747, K.S.A. 65-3311 and amendments thereto;

(2) the development and implementation of a solid waste management plan pursuant to K.S.A. 65-3405 and amendments thereto;

(3) the development and implementation of a hazardous waste management plan that is consistent with K.S.A. 65-3430 and amendments thereto;

(4) participation in the development and implementation of a nonpoint source pollution control plan which identifies the activities and responsibilities of the local environmental protection program in the management of nonpoint pollutant sources; and

(5) the development and implementation of a public water supply protection plan which at a minimum:

(A) specifies the duties of local government agencies, the public water supplier and other local entities in the development and implementation of a public water supply protection plan;

(B) defines the public water supply protection area;

(C) identifies all potential contaminant sources within the defined public water supply protection area;

(D) identifies management practices which may be implemented to prevent contamination of the public water supply by each identified contaminant source, including but not limited to information and education, technical assistance, financial assistance, and the use of local ordinances;

(E) establishes a contingency plan to provide an alternate source of drinking water for each public water supply in the case that the public water supply becomes contaminated;

(F) requires that for any new public water supply all potential contaminant sources within the expected protection area be identified and management practices for each contaminant source identified; and

(G) provides for public participation in the development of any public water supply protection plan.

(i) "Target grant" means funding which may be awarded to a local entity in addition to a base grant for the purpose of conducting an approved program objective for which base grant funds are not sufficient.

(Authorized by and implementing K.S.A. 75-5657; effective Feb. 28, 1994.)

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