Kansas Administrative Regulations

Department of Health and Environment

Article 16.—Water Pollution Control—Municipal, Commercial and Industrial Wastewater Lagoon Requirements.

28-16-172. Plan and specification approval; permit issuance.

(a) Neither the approval of an engineering report, hydrogeologic report, construction plans, or construction specifications nor the issuance of a permit by the secretary shall prohibit the secretary from taking any enforcement action if the municipal, commercial, or industrial wastewater lagoon fails to protect waters of the state, meet any specified effluent criteria, or comply with state surface water quality standards. In addition, an approval or permit issuance shall not constitute a defense by the permit applicant or permittee regarding the violation of any statute, regulation, permit condition, or requirement.

(b) The permit applicant or permittee shall not deviate from the plans and specifications submitted to and approved by the secretary, unless amended plans and specifications showing the proposed changes are submitted to and approved by the secretary.

(Authorized by K.S.A. 2003 Supp. 65-171d; implementing K.S.A. 65-164 and K.S.A. 2003 Supp. 65-171d; effective May 20, 2005.)

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