

Kansas Administrative Regulations

Department of Health and Environment

Article 29.—Solid Waste Management

28-29-1608. Land-spreading; reporting and recordkeeping.

Each operator that has conducted land-spreading shall meet all of the following requirements for each land-spreading site:

(a) Within 60 days after the conclusion of land-spreading, submit a land-spreading report to the KCC. The operator shall identify each part of the report by the KCC land-spreading approval number from the approved application. The land-spreading report shall contain the following items:

(1) The following information for each well from which the drilling waste was generated, on a form provided by the KCC:

(A) The operator name and license number;

(B) if the well is permitted in a state other than Kansas, the name and telephone number of the state authority that permitted the well;

(C) the location of the well, including the following:

(i) The state and county in which the well is located;

(ii) the legal description of the well;

(iii) the number of feet the well is located from the north or south section line and the east or west section line; and

(iv) the latitude and longitude of the well, as determined using GPS;

(D) the lease name;

(E) the well number;

(F) the American petroleum institute (API) number;

(G) the spud date, as defined in K.A.R. 82-3-101;

(H) verification that the drilling mud components are the same as those components identified on the approved application;

(I) verification that the chloride concentration of the drilling waste is less than 10,000 parts per million (ppm); and

(J) the following information about the person performing the land-spreading, if different from the operator:

- (i) The name of the individual or company;
- (ii) the contact person's name;
- (iii) the contact person's telephone number or cellular phone number, or both; and
- (iv) the contact person's electronic mail address, if there is one;

(2) for the area that was actually used for land-spreading, an updated version of the cell identification map that was submitted with the application. The updated map shall include all information on the original cell identification map and the following information:

- (A) The date or dates on which land-spreading occurred;
- (B) the land-spreading contractor name;
- (C) identification of each well from which the drilling waste was generated;
- (D) for each tank and each pit that was used to store drilling waste, the area where that drilling waste was land-spread, according to the following requirements:

(i) The dimensions of the area used for land-spreading shall be added to the map, if the area used for land-spreading is different from the cell boundaries, and shall be based on either physical references and measurements or GPS measurements, or both; and

(ii) the tank and pit numbers shall correspond to the labels used in the land-spreading worksheet; and

- (E) notation identifying the cells that were not used for land-spreading;

(3) a description of the procedures that were used to sample the drilling waste and the sampling rates;

(4) a description of the methods that were used to analyze the drilling waste;

(5) the results of each analysis of the drilling waste;

(6) the completed land-spreading worksheet;

(7) for each cell within the land-spreading site, the following information:

(A) The volume of drilling waste that was spread on the cell; and

(B) a description of the land-spreading procedures that were used, including the following:

(i) Documentation of each variation from the processes or equipment described in the approved application;

(ii) a description of each deviation from the operating and management requirements of K.A.R. 28-29-1607; and

(iii) if the drilling waste was incorporated into the soil, a statement of the maximum time period from land-spreading to incorporation; and

(8) if corrective measures were required by the KCC or the department at the land-spreading site, the following information:

(i) A description of the conditions warranting the corrective measures;

(ii) a copy of the sampling and analysis plan, if this plan was required;

(iii) the results of all sampling and analyses that relate to the corrective measures;

(iv) a description of the corrective measures implemented at the land-spreading site; and

(v) a description of all long-term site monitoring or land-use restrictions associated with the site conditions;

(b) within 12 months after the conclusion of land-spreading, submit to the KCC a report describing the timing and success of establishing vegetative cover or conditions suitable to support crops. If the establishment of vegetative cover or conditions suitable to support crops was unsuccessful, the operator shall submit a new plan describing how vegetative cover or conditions suitable to support crops will be established. The operator shall identify the report, plan, or both, by the KCC land-spreading approval number from the approved application; and

(c) maintain the following documents, identified by the KCC land-spreading approval number from the approved application, for at least five years after the land-spreading occurs and make the documents available to the department and the KCC, upon request:

(1) The results of all analyses;

(2) a copy of each application and approval;

(3) a copy of each land-spreading report and all required attachments; and

(4) if any drilling waste was analyzed in the field, a copy of all calibration logs for each piece of equipment used and the qualifications of each person that performed the analyses.

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

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