Kansas Administrative Regulations

Department of Health and Environment

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

28-16-170. Water, oil, or gas wells.

(a) Each permit applicant or permittee submitting construction plans for a municipal, commercial, or industrial wastewater treatment system lagoon shall identify, on the construction plans, the location of any active, abandoned, or plugged water, oil, or gas well within 600 feet of any proposed location for a wastewater lagoon.

(b) If the permit applicant or permittee is unable to confirm the exact location of any well or wells, the permit applicant or permittee shall include in the construction plans a note indicating the potential for the well or wells to be encountered in the vicinity of the proposed wastewater lagoon.

(c) Each active, abandoned, or plugged water, oil, or gas well that is encountered during construction and that was not identified or located on the construction plans shall be reported to the department within 48 hours of discovery. Construction activities that have the potential to impact the well shall be immediately terminated until the secretary or designee authorizes the construction to resume.

(Authorized by K.S.A. 2003 Supp. 65-171d; implementing K.S.A. 65-165, 65-166, K.S.A. 2003 Supp. 65-171d, and K.S.A. 65-171h; effective May 20, 2005.)

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