Kansas Administrative Regulations

Department of Health and Environment

Article 16.—Water Pollution Control—State Grants to Municipalities for the Construction of Water Pollution Control Projects Benefiting from Federal Grants.

28-16-63. Monitoring.

I. An appropriate monitoring program shall be included in all permits. The program may require the discharger to install, use and maintain at his expense, adequate monitoring equipment or methods (including, where appropriate, biological monitoring methods).

II. Any discharge which 1) is not a minor discharge, 2) the regional administrator requests in writing to be monitored, or 3) contains a toxic pollutant for which an effluent standard has been established shall be monitored by the discharger for at least the following:

(A) Flow (in gallons per day);

(B) Pollutants which are subject to reduction or elimination under the requirements, pollutants which would have a significant impact on the quality of the receiving waters, and pollutants specified by the regional administrator; and

(C) Each effluent flow or pollutant shall be monitored at intervals sufficiently frequent to yield data which reasonably characterize the nature of the discharge. Variable effluent flows and constituent levels shall be monitored at more frequent intervals.

III. Recording.

(A) The discharger shall record the results of all monitoring and shall include for all samples:

(1) The date, exact place, time of sampling, and who took the sample;

(2) The dates analyses were performed and who performed the analyses;

(3) Analytical techniques/methods used; and

(4) The results of such analyses.

(B) The discharger shall be required to retain for a minimum of three years any records of monitoring activities and results, including all original strip chart recording and calibration and maintenance records. The period of retention shall be extended during the course of any unresolved administrative enforcement action or litigation regarding the discharge of pollutants by the discharger or when ordered by the director.

IV. Reporting.

(A) Monitoring results shall be reported on forms required by the director and forwarded to the director at specified time periods of not less than once per year.

(B) The director shall require the use of monitoring, recording, and reporting procedures which at a minimum are at least as stringent as any national monitoring, recording, and reporting requirements specified by the administrator in regulations issued pursuant to the act.

(Authorized by K.S.A. 1974 Supp. 65-165, 65-166, 65-171d; effective, E-74-32, June 14, 1974; effective May 1, 1975.)

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