RULES AND REGULATIONS
KANSAS CORPORATION COMMISSION
(Excerpted)
May 2004

K.A.R. 82-3-709. Groundwater management districts #2 and #5: construction specifications for uncased cathodic boreholes. This regulation shall apply only within the boundaries of groundwater management districts #2 and #5. Each operator, owner, or person responsible shall ensure that the requirements of this regulation are met.

(a) The construction features of each uncased cathodic protection borehole shall prevent physical damage to the installation and prevent the entry of pollutants and contaminants into fresh and usable groundwater.

(b) Each uncased borehole shall be grouted from the top of the anode conductor grout to three feet below land surface with either of the following:
   1) Grout; or
   2) anode conductor grout.

(c) From three feet below land surface to the land surface, each uncased borehole shall be backfilled with clean, compacted topsoil and sloped so that surface drainage or runoff is directed away from the installation.

(d) A vent pipe or other gas-venting device shall not be installed in any uncased borehole.

(e) In any area having a saline concentration of 500 ppm or higher, or as determined by the manager of the appropriate GMD office after consideration of ambient water quality data taken from the area within a ½-mile radius of the proposed uncased borehole, a log of a test well located within 20 feet of the proposed uncased borehole shall accompany each uncased cathodic borehole application submitted pursuant to K.A.R. 82-3-705 and shall include the following information:
   1) A 10-acre tract legal description of the test well location;
   2) the depth to bedrock;
   3) the depth to the water table;
   4) a description of drill cuttings sampled and recorded at intervals not greater than five feet and more frequently, if necessary, to produce an accurate lithologic log; and
   5) the analyses of groundwater samples collected in a manner approved by the manager of the appropriate GMD office from the upper, middle, and lower portions of an aquifer. These analyses shall meet the following requirements:
      (A) Consist of chloride, specific conductance, and any other parameter analysis specified by the manager of the appropriate GMD office; and
      (B) be performed by a laboratory certified by the Kansas department of health and environment.

(f) Each failure to construct any uncased cathodic protection borehole in accordance with this regulation shall be punishable by a penalty of up to $2,500.

(Authorized by K.S.A. 55-152 and K.S.A. 2003 Supp. 82a-1028; implementing K.S.A. 55-152, K.S.A. 2003 Supp. 55-164, and K.S.A. 2003 Supp. 82a-1028; effective, T-82-1-21-04, Jan. 21, 2004; effective May 14, 2004.)