



KANSAS DEPARTMENT OF HEALTH & ENVIRONMENT

PROCEDURE FOR SIGNATORIES TO PERMIT APPLICATION AND MONITORING REPORTS FOR CLASS I DISPOSAL WELL

Procedure #: UICI-5

Narrative:

Kansas Administrative Regulation 28-46-22, which references 40 CFR 144.32, establishes the signatory requirements for permit applications, all reports required by permits and other information required by KDHE.

Procedure:

(a) Applications - All permit applications shall be signed as follows:

1. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means; (i) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

NOTE: KDHE does not require specific assignments or delegations of authority to responsible corporate officers identified in 144.32(a)(1)(i). KDHE will presume that these responsible corporate officers have the requisite authority to sign permit applications unless the corporation has notified KDHE to the contrary. Corporate procedures governing authority to sign permit applications may provide for assignment or delegation to applicable corporate positions under (a)(1)(i) rather than to specific individuals.

2. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
3. For a municipality, State, Federal, or other public agency; by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes: (i) the chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

- (b) Monitoring Reports - All monitoring reports required by permits shall be signed by a person described in paragraph (a) of this section, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
1. The authorization is made in writing by a person described in paragraph (a) of this section;
 2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and
 3. The written authorization is submitted to KDHE.
- (c) Changes to authorization - If an authorization under paragraph (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b) of this section must be submitted to KDHE prior to or together with any reports, information, or applications to be signed by an authorized representative.

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