

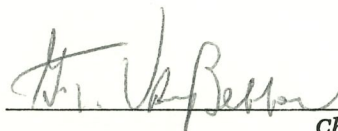
MINUTES OF THE _____ COMMITTEE ON FEDERAL AND STATE AFFAIRS _____

Held in Room 510, at the Statehouse at 2:45 ~~am~~/p. m., on January 21, _____, 19 75.

All members were present except: Messrs. Sellers and J. Slattery

The next meeting of the Committee will be held at 2:45 ~~am~~/p. m., on January 22, _____, 19 75.

These minutes of the meeting held on _____, 19____ were considered, corrected and approved.



Chairman

The conferees appearing before the Committee were: Robert Wolfe, State Fire Marshall, Russell Collins, Deputy State Fire Marshall, Amos Kramer, Kansas Petroleum Council, Donald A. Bell, Kansas Oil Marketers Ass'n., Philip Stover, EKOGA, Robert Anderson, Mid-Continent Oil, Walter Moffatt, Kansas Oil Marketers, Donald P. Schnacke, Kansas Independent Oil Producers Ass'n., Rep. George Wingert, William R. Hale, Kansas Architectural Examining Board, E.V.D. Murphy, ABC Director, William Schutte, Asst. Director, ABC., James T. McDonald, Dept. of Revenue and William L. Harris, Dept. of Revenue.

The meeting was called to order by the Chairman who introduced Mr. Russell Collins of the Fire Marshall's office to discuss the proposed changes in Rules and Regulations. (See Exhibit I) Mr. Collins discussed 22-2-18, 22-7-9 and 22-7-29, and answered questions from committee members. At that point, Mr. Wolfe continued the explanation of the proposals through 22-17-2.

Mr. Amos Kramer appeared in opposition to some of the proposed regulations and amendments. (See Exhibit II) Representative George Wingert also appeared in opposition to portions of the proposal, stating that he felt nationally recommended codes should be used rather than some of the untried things being suggested by the Fire Marshall. He suggested that some of the proposals are quite impractical. Mr. Robert Anderson stated that he supported Mr. Kramer's position and reiterated that the industry was willing to cooperate in working out controls and regulations.

Mr. Don Schnacke stated that he had appeared at the public hearing but that the proposals had been drafted without consultation with the industry; that he was requesting that there be input from the industry; that at the hearing he had asked exemption for oil field production tanks, and was still making such plea in regard to 27-7-9.

Mr. Don Bell appeared on behalf of the Kansas Oil Marketers Association, and stated his opposition to portions of the proposals, but in addition he stated that he is shocked at the attempt to regulate the carrying of gasoline in vehicles; that it is an attempt to enact a misdemeanor law affecting the general public; that if there is to be something like this it should be enacted by the legislature and give the public a chance to know about it. He stated that his people are willing to work with the Fire Marshall and try to reach a consensus.

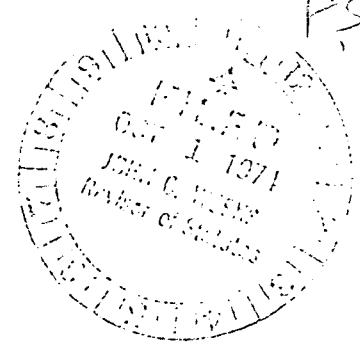
Mr. William Hale, a member of the Kansas Architects Registration and Examining Board, appeared to explain the proposed Rules and Regulations with regard to that Board. He explained that the major reasons for change was the initiation of a new examination procedure; one which is nationally recognized and which virtually assures that anyone who passes the examination is authorized to practice in all of the fifty states. There are a few exceptions where there are some local state requirements.

Mr. E. V. D. Murphy, along with members of his staff, appeared to discuss some changes in the Rules and Regulations governing the ABC. He stated that the proposed changes were merely to implement the law which was passed at the last session, and to clarify some matters with regard to manufacturers, distributors and retailers. Mr. Shuttle stated that all of these things have been looked at by the public and by the industry and that there was no objection.

The meeting was adjourned.

75-19

STATE OF KANSAS
 OFFICE OF
 REVISOR OF STATUTES
 STATE HOUSE, THIRD FLOOR
 TOPEKA, KANSAS 66612
 PHONE 296-2321



TO: Ms. Ruth D. Engle
 Ass't. Secretary
 Kansas State Registration & Examining Board of Architects
 801 Harrison
 Topeka, Kansas 66612

1-21-75

The following rules and regulations have been received and placed on file in this office.

JOHN C. WEEKS
 REVISOR OF STATUTES

Date filed	Number	Subject matter
10-1-74	73-5-1 73-4-2 (revoked) 73-4-5 (revoked) 73-4-6 73-6-1 (new)	Approval of corporate name. Conditions of retaking written examinations

K.S.A. 6-108

73-4-2. (Authorized by ~~L. 1957, ch. 53 §4~~; Effective

~~Jan. 1, 1963~~; ⁶ Revoked, ~~September 26, 1974~~; Effective

~~May~~
~~January 1, 1975.~~)

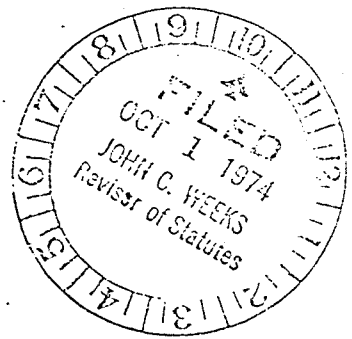
K.S.A. 6-108;

73-4-5. (Authorized by ~~L. 1957, ch. 53 §4~~; Effective Jan. 1, 1966

~~October 24, 1963~~; Revoked, ~~September 26, 1974~~; Effective

~~May~~
~~January 1, 1975.~~)

APPROVED as to
form and legality.
Attorney General
by DM, Ass't.



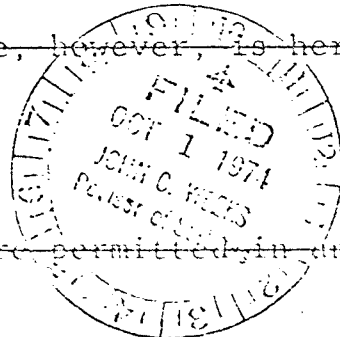
73-4-6. Conditions of retaking written examinations. Applicants

failing in their written examinations are hereby extended the privilege to take subsequent examinations or reexaminations under the following terms and conditions:

~~(a)~~ Such applicant shall file a written application, a letter of intention to retake will suffice, with the board ~~at the expiration of six months from the time of prior failure, and no fee shall be required to be paid for the first retake of said examination.~~ at least two months prior to the date of the examination to be retaken. Such applicants for retaking examinations will be required to pay a fee at the time of application which shall be equal to the current charge to the Board by the NCARB for the examination or portion thereof which the applicant desires to retake.

~~(b) If a candidate passes four or more of the seven individual written examinations, he may elect to retake only the subjects in which he failed, such privilege or retake, however, is hereby limited as follows:~~

~~1. Only two retake examinations are permitted, in any individual subject.~~



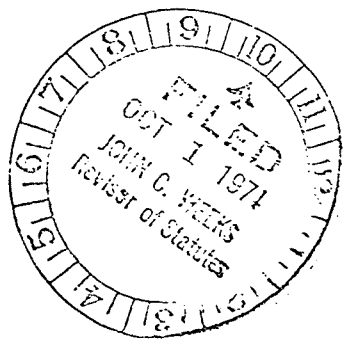
By [Signature]

~~2. All retake examinations must be passed within three years of the original examination, unless the Kansas board finds from an evidentiary showing made by the applicant of extenuating or unusual circumstances, whereby the board feels willing to waive this provision of its rules.~~

~~(3) Except as hereinbefore provided, each and every candidate who fails in any examination, must retake all subjects if he elects to later take the said written examination. (Authorized by K.S.A.~~

6-108, ~~as~~ amended; Effective January 1, 1975⁹ (L 1966; amended May 1, 1975.)

APPROVED as to form and legality, Attorney General by DPH, Ass't.

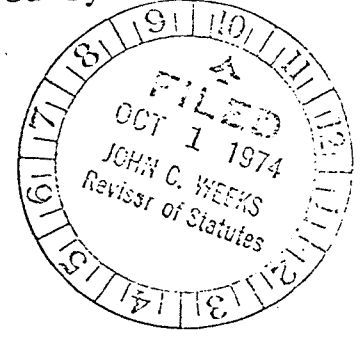


73-5-1. ~~Partnership licenses.~~ Approval of corporate name.

~~Each member of a firm of practicing architects, including each stockholder of an incorporated architectural firm, shall have a separate license. When the Board is requested to approve a corporate name pursuant to a Kansas Statute, it shall only do so if the name as presented includes the name of at least one stockholder of the corporation who is currently the holder of a license to practice architecture in the State of Kansas and if all other stockholders are licensed in the State of Kansas as architects, engineers or landscape architects.~~

(Authorized by K.S.A. 6-108;

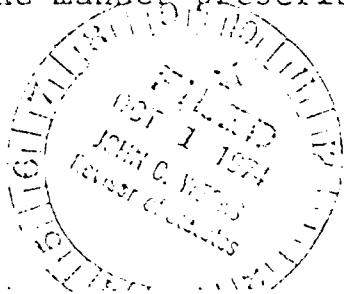
~~as amended, Effective: 1-1-75~~



effective Jan 1, 1966; amended,
E-74-47 Aug. 28, 1974; amended
May 1, 1974.)

APPA v. ...
form and legality.
Attorney General
by DMH, Ass't.

73-6-1. Provisions concerning annual registration are hereafter provided as follows: (a) The secretary of the board shall send written notices to all registrants, not later than June first of each calendar year, which notice shall state the amount of the registration fee fixed by the board as provided by law ; such notice shall also state the penalty provisions for delinquency as hereinafter set forth; (b) In the event any registrant fails to pay his annual registration fee by July 31, pursuant to said notice previously sent by the secretary's office a penalty is thereby assessed for such delinquency in the amount of \$15.00; (c) All registrants who are delinquent for failure to pay fees by July 31, mentioned aforesaid, shall be sent, not later than August 15, by registered mail with return receipt requested, a second written notice. Such shall state the registration fee together with a penalty that is owing and shall further advise that if said fee and penalty is not paid by October 1, said registrant's license will become cancelled; (d) After cancellation of any license hereunder for nonpayment of fees together with the penalty, a new license can only be obtained in the manner prescribed for new



APPROVED as to
form and legality.
Attorney General
by D.M.H., Ass't.

applicants, unless ~~for good cause the board waives such penalty.~~

it is reinstated by the Board for good cause shown and upon payment

of the \$15.00 penalty and all delinquent dues owing at the time of

reinstatement by the licensee. (Authorized by K.S.A. 6-108, ~~as~~

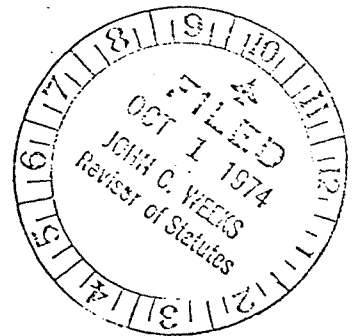
~~amended;~~ ^g Effective: 1/1/75)

L effective Jan. 1, 1966;

amended, E-74-47, Aug. 28, 1974;

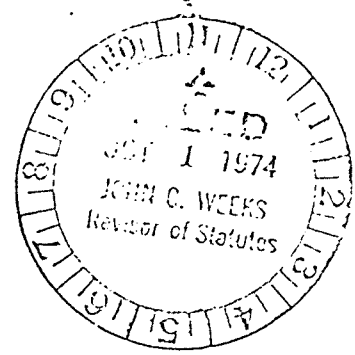
amended May 1, 1975.)

APPROVED as to
form and legality.
Attorney General
by DMH, Ass't.



75-4

STATE OF KANSAS
OFFICE OF
REVISOR OF STATUTES
STATE HOUSE, THIRD FLOOR
TOPEKA, KANSAS 66612
PHONE 296-2321



FSA
21
Copies

1-21-75

TO: Mr. James T. McDonald
Secretary of Revenue
Division of Alcoholic Beverage Control
State Office Building
Topeka, Kansas 66612

The following rules and regulations have been received and placed on file in this office.

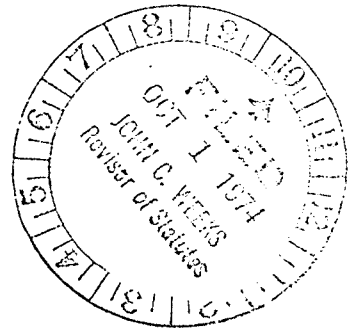
JOHN C. WEEKS
REVISOR OF STATUTES

Date filed	Number	Subject matter
10-1-74	14-3-37(amended)	Retailers; sale of beer in kegs; providing necessary equipment.
	14-4-16(amended)	Inducements from manufacturers and distributors to retailers prohibited.
	14-6-2(amended)	Capacities of containers.
	14-7-9(amended)	Filing of agreements; cancellation.
	14-7-10(new)	Beer distributors must provide designated geographic territory.
	14-7-11(new)	Change or modification of geographic territory.
	14-7-12Inew)	Beer distributor selling outside his designated geographic territory.

14-3-37. Retailers; sale of beer in kegs; providing necessary equipment. Retailers may furnish to customers who purchase kegs of strong beer the necessary equipment in connection with the sale. Retailers may own their own ice tubs, pumps, and CO² units and require the customer to make a fair deposit for the equipment and beer keg. Upon return of the equipment and keg, the retailer must return the customer's full deposit. Under no circumstances may Kansas beer distributors or Kansas retailers rent or lease the equipment, provided further retailers may purchase the pumps, tubs, and CO² units from the licensed beer wholesaler if the wholesaler consents to sell the same. (Authorized by K.S.A. ~~71-244~~, ~~41-308~~; ~~41-211~~ and ~~K.S.A. 1971 Supp. 41-210~~; effective January 1, 1974; amended January 2 1, 1975.)

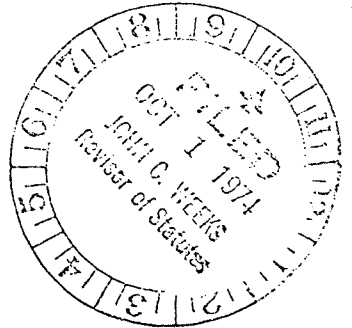
1972

May



APPROVED as to
form and content
Attorney General
by [Signature]

14-4-16. Inducements from manufacturers and distributors to retailers prohibited. No manufacturer of alcoholic liquor, holding a manufacturer's license under the Act and no manufacturer of alcoholic liquor outside of this State manufacturing alcoholic liqueurs for sale and distribution within the State and no licensed distributor within the State, their agents, salesmen or representatives shall, directly or indirectly, offer, give or furnish any gifts, prizes, coupons, premiums, rebates, quantity discounts, entertainment decorations, services of any employee, including errands and administrative services or any other inducement or thing of value of any kind to a licensed retailer or to an applicant for a retail liquor license who has submitted an application to the director. (Authorized by K.S.A. 41-210; 41-211, 41-702; effective Jan. 1, 1966; amended Jan. 1, 1974; amended Jan. 1, 1975.)



APPROVED as to
form and legality.
Attorney General
by: *JMM*

14-6-2. Capacities of containers. Alcoholic liquors shall only be sold or offered for sale at retail in this state in original packages of the following capacities:

(1) Beer: 6½ fluid ounces, 7 fluid ounces, 8 fluid ounces, 10 fluid ounces, 11 fluid ounces, 12 fluid ounces, 15 fluid ounces, 16 fluid ounces, 17 fluid ounces, 24 fluid ounces, 25.6 fluid ounces, 1 quart, ½ gallon, 1 gallon, 2¼ gallon (tapper), 1/8 barrel (3 7/8 gal.), ¼ barrel (7 3/4 gal.), ½ barrel (15½ gal.), 1 barrel (31 gal.).

(2) Wine: 4/5 pint, 1 pint (imports only), 4/5 quart, 1 quart, ½ gallon, 1 gallon, 2/5 gallon for sparkling and carbonated wines only;

Aperitif wine (including vermouth) may be sold or offered for sale at retail in this state in original packages having a capacity of 15/16 quart if the gallonage tax thereon is paid at the full quart rate per bottle.

Wine manufactured and bottled outside the borders or confines of the United States may be sold or offered for sale at retail in this state in containers of any size containing 4/5 pint or more if permitted by the bureau of internal revenue, and the gallonage tax is paid thereon as provided by paragraph (2) of 14-7-6.

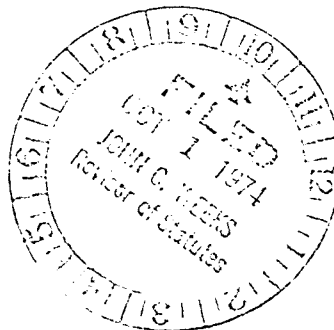
For tax purposes a variance in content will be permitted within a fraction of a fluid ounce in bottles of champagne, carbonated or sparkling wines. This means that a 26-ounce bottle may be considered as 1/5 of a gallon or a 25.6 ounce bottle, or 13-ounce bottle may be considered as 1/10 of a gallon or a 12.8-ounce bottle.

(3) Alcoholic liquor other than beer and wine: ½ pint, 1/10 gallon, 1 pint, 4/5 quart, 1 quart, ½ gallon, 1 gallon: Provided, That domestic whiskey, including bonded bourbon, bonded rye, straight bourbon, straight rye, all blends of neutral spirits, corn whiskey and scotch type whiskey, alcohol, domestic and imported gin, vodka, tequila, and Canadian imported whiskey shall not be offered for sale in containers of one-tenth (1/10) gallon.

Domestic brandies, prepared cocktails, rum, American cordials, liqueurs and specialties, flavored gin, flavored vodka and flavored whiskey shall not be offered for sale in containers of one pint size.

For approval purposes of containers offered for sale, a variance in content may be permitted within two fluid ounces for the above approved sizes for prepared cocktails, imported and domestic cordials, liqueurs and specialties. (Authorized by K.S.A. 41-211; ~~K.S.A. 1974 Supp. 41-210~~; effective Jan. 1, 1966; amended Jan. 1, 1967; amended Jan. 1, 1968; amended Jan. 1, 1972; amended Jan. 1, 1975.)

May



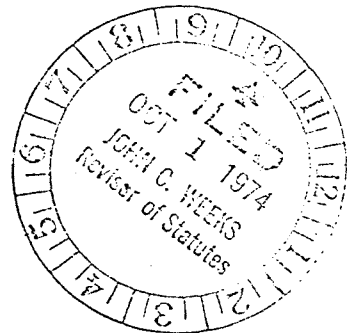
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JOHN C. NEES

14-7-9. Filing of agreements; cancellation. All agreements between beer manufacturers or suppliers of beer and wholesalers or distributors of beer must be filed with the office of the Alcoholic Beverage Control Division at the time of filing application for a distributor's license. A copy of the agreement must be submitted to the director for the files of the Alcoholic Beverage Control Division: Provided, That no agreement so filed shall be cancelled or transferred except upon notice to the Director and reasonable opportunity for the Director to determine that the terminated licensee has complied with all provisions of the Alcoholic Beverage Control Act. (Authorized by K.S.A. 41-210; K.S.A. 41-211; effective Jan. 1, 1974; amended July 1, 1974; effective Jan. 1, 1975.)

and

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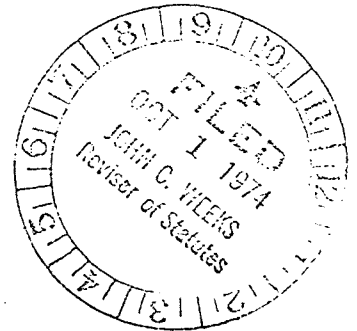
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APPROVED as to
form and content
by _____
Attorney General

14-7-10. Beer distributors must provide designated geographic territory.
Before commencing or continuing business every manufacturer or distributor
of beer and every importer of beer must file with the Director a diagram in
a form approved by the Director, showing the designated territory within
which the distributor will distribute beer to retailers. The said territory
shall be agreed upon in writing by the manufacturer and distributor and a
copy of the written agreement concerning the designated geographic territory
must be filed with the Director. (Authorized by K.S.A. 41-210, 41-211,
41-409; effective Jan. 1, 1975.)

L. K.S.A. 1974 ^{May} SUPP.

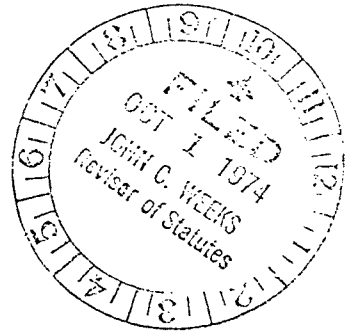


APPROVED as to
form and content
of the Statutes
by John C. Weeks, Reviser

14-7-11. Change or modification of geographic territory. The geographic territory within which any distributor does distribute beer to retailers may not be changed, modified, or cancelled without the written consent of both the manufacturer and distributor and a verified copy of the consent must be filed by the manufacturer and distributor with the office of the Alcoholic Beverage Control Division and acknowledged before said change or modification will be effective. (Authorized by K.S.A. 41-210, 41-211, 41-409; effective Jan. 1, 1975.)

L May

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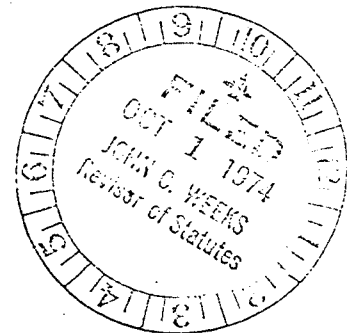


Approved by _____
Assistant

14-7-12. Beer distributor selling outside his designated geographic territory. No beer distributor shall sell beer to any retailer who is located outside the geographic territory designated in the notice filed with the Director by the distributor: Provided, That, if any beer distributor shall refuse to sell beer or provide service in connection therewith to any retailer located within such beer distributor's geographic territory, it shall be lawful for any other beer distributor to sell beer to such retailer after getting approval from the Director. (Authorized by K.S.A. 41-210, 41-211, 41-701; effective Jan. 1, 1975.)

May

K.S.A. 1974 Supp.



APPROVED as to
form and legality.
Attorney General
By *J.M.*, Asst.

1-21-75

Presented To:

Federal and State Affairs Committee
KANSAS HOUSE OF REPRESENTATIVES
January 21, 1975
Room 510
2:45 p. m.

My name is Amos Kramer, Executive Director, Kansas Petroleum Council, Topeka.

The purpose of this appearance is to discuss our great concern in regard to the three changes in Rules and Regulations promulgated by the State Fire Marshal's Department. I assure you, gentlemen, that every dealer, jobber and supplier in the State of Kansas would be more than willing to speak in opposition to these modifications, but, unfortunately, time is of the essence. The industry has always been super safety conscious and has proven its willingness to work with any governmental agency in developing logical requirement of operation.

We contend that these Rules and Regulations are un-necessary because of - - -

1. The probability of causing unknown problems due to the use of chemical additives. (22-7-9 & 22-7-29).
2. Rules and Regulations do not comply with any nationally recognized codes (NFPA).
3. Confusion on what constitutes a temporarily closed or abandoned facility.
4. These Rules and Regulations were adopted on an emergency basis and were unannounced to the industry. To our knowledge, the service of the Department's Advisory Council was not solicited nor was the industry consulted on these drastic changes.

5. To develop Regulations in response to isolated incidents is impractical. There will always be the unusual which defies control because of the human element.

This is an extremely complicated subject - one which cannot be explained in a short period of time. Therefore, I will attempt to highlight the problems contained in each section.

22-7-9 (4) BULK STORAGE TANKS

Bulk storage tanks no longer used for storage of Class 1, 11 or 111 flammable liquid shall be removed from the premises within one year from the date the tanks were abandoned. Before the removal of tanks, a ratio of one gallon of carbon tetrachloride or 1,1,1-trichloroethane to 1,000 gallon tank capacity, with the maximum of 5 gallons shall be placed in each tank. (Authorized by K.S.A. 31-133 effective May 1, 1975).

QUESTION

What does "abandoned" mean - - - are the tanks unfit for future use - - - are they to be cut up and sold for scrap - - - can they be moved to a new location? Nationally recognized codes provide, with proper procedures, for the tanks to be left in place or transported to new locations.

The supposed purpose of injecting carbon tetrachloride or 1,1,1-trichloroethane is to gas free the tank. Since this is an untried procedure, will it do the job or will it precipitate a whole new set of conditions?

Carbon tetrachloride is a severe liver toxin by ingestion or inhalation and slightly toxic by skin absorption. It is banned from sale when packaged for use in the home. It is

not approved by the Occupational Safety and Health Administration nor the National Fire Protection Association as a fire extinguishing agent.

1,1,1-trichloroethane is less toxic than carbon tetrachloride, having a permissible limit in air for breathing of 350 parts per million as compared to 10 parts per million for carbon tetrachloride. Both are volatile liquids and in a confined space, could displace the air and cause narcosis and/or asphyxiation.

Both of these compounds would be expected to produce phosgene gas (used in WW 1) when subjected to ultraviolet light such as that given off by electric arc welding or by heat of sufficient temperature as could occur in welding or cutting with a torch. Both will react with certain metals such as aluminum, zinc, copper and brass and give off toxic and irritating products. The reaction product (sludge) will ignite spontaneously on exposure to air.

QUESTION

Will 22-7-9 (4) solve the problem? We contend that it will not and in fact could produce a whole new set of problems.

22-7-29 (1) UNDERGROUND STORAGE TANKS

Class 1, 11 or 111 service station tanks shall be removed from the premises within 90 days from the date the station is abandoned. Before the removal of tanks, a ratio of one gallon of carbon tetrachloride or 1,1,1-trichloroethane to 1,000 gallon tank capacity, with a maximum of 5 gallons, shall be placed in each tank. When a service station is temporarily closed, pumps shall be removed within 30 days, lines capped and all underground tanks

completely filled with water. The oil company, or responsible representative shall notify the State Fire Marshal of the closing date, the location of the installation, either permanent or temporary, within the required 30 days. (Authorized by K.S.A. 31-133, 31-207, 75-1511; effective May 1, 1975).

Everything that has been stated concerning 22-7-9 (4) applies to this section as well. In addition, this section places unrealistic time schedules with no variance in application. Service stations are closed for many reasons - - - some of which are not under the control of the individual or company involved. For example - - -

1. Closed because a qualified operator cannot be obtained.
2. Closed because of road, street and highway construction.
3. Closed for remodeling and/or construction on premises.
4. Closed because of changes in traffic flow.
5. Closed because of temporary financial difficulties.
6. Closed because of an Act of God.
7. Closed because of inadequate supply.

These reasons for closing are factual - - - they are a part of doing business in this industry and should not be cast in a time frame straight jacket.

We strongly disagree with the 90-day time limit set forth. In many cases, the station may be out of operation for more than 90 days, but may very well go back into operation and it would be unreasonable to require that the tank be filled with water and pumps removed within 30 days of temporary closing. Further, even after the tank is abandoned, we know of no basis to say that it

is necessary or even preferable that the tank be removed. NFPA has consistently recognized that tanks can be safely abandoned in place by filling with an inert material and we do not know of any justification to change this in Kansas. We have never heard of a problem with a tank that was handled in accordance with NFPA Pamphlet #30 or API Bulletin #1604.

22-2-18 TRANSPORTATION OF CLASS A FLAMMABLE LIQUIDS

Class A flammable liquids are prohibited from being carried in the luggage or enclosed compartment of a vehicle other than those described in 22-2-1 (Authorized by K.S.A. 31-133, effective May 1, 1975).

The industry has an indirect interest in this Regulation but as consumer - - - you and I should be concerned. We can all agree that the idea of preventing individuals from transporting gasoline in their cars is a laudable endeavor, but is it enforceable? Frankly, I am not looking forward to pushing my lawnmower to the station - - - nor do I consider it feasible to strap the can to the car bumper or lugg it home on a bicycle.

Existing regulations on labeling and metal containers are proper. Enforcement of these and an expanded education program for the general public will go a long way in alleviating this concern.

IN CONCLUSION - - -

The industry respectfully requests that the Committee sponsor a bill of rejection for these Rules and Regulations because - - -

- (1) The listed Rules and Regulations are untried and a great deal of information must be gleaned to determine their validity before implementation.

- (2) We believe the solution could be simple with proven safety. The State Fire Marshal has the authority to adopt, by reference, nationally recognized safety codes. To this end the National Fire Protection Association Pamphlet #30, Appendix C on Abandonment or Removal of Underground Tanks would be an excellent vehicle.

Gentlemen, we thank you for the opportunity to state our case and will cooperate to the fullest extent.

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§ 1; July 1.]

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e filing of such regula-

tion not affecting substantial rights shall not invalidate the same. The filing and publication of regulations as required by this act shall not be construed as dispensing with the requirements of any other law necessary to make the regulations effective. The revocation of a regulation shall not be construed as reviving a regulation previously revoked, nor shall such revocation be construed as affecting any right which accrued, and duty imposed, any penalty incurred, nor any proceeding commenced, under or by virtue of the regulation revoked. [K. S. A. 77-425; L. 1974, ch. 421, § 2; July 1.]

Revisor's Note:

Referred to in 8-2314.

Law Review and Bar Journal References:

Cited in "Dubious Doctrines in Administrative Law," David L. Ryan and Edwin P. Carpenter, 11 W. L. J. 351, 359 (1972).

Mentioned in article concerning discrimination, Joseph P. Doherty, 12 W. L. J. 28, 29 (1972).

77-426. Compiled regulations; existing regulations; annual filing; effective dates; submission to legislature; action by legislature. (a) On or before September 1, 1965, every state agency shall prepare and file with the revisor of statutes a complete compilation of all rules and regulations, in accordance with the provisions of this act, together with a citation of the authority pursuant to which each regulation or any part thereof was adopted. All regulations on file with the revisor which are in force and effect at the time this act takes effect shall continue in full force and effect and may be amended, revived, or revoked as provided for in K. S. A. 77-405 to 77-414, both sections inclusive, and other laws applicable at the time this act became effective, until January 1, 1966. On January 1, 1966, all regulations of state agencies filed in accordance with the provisions of K. S. A. 77-405 to 77-414, both sections inclusive, and prior laws shall become null and void and on the same date the Kansas administrative regulations compiled pursuant to the provisions of this act shall become the regulations of the state agencies with the publication of such regulations. The effective date of such publication shall be January 1, 1966. From and after the effective date of this act, all new regulations and all amendments, revivals, or revocations of regulations regularly adopted during the period from May 1 to October 1, inclusive, in any year shall be filed with the revisor of statutes on or before October 1 of such year, and shall become effective on and after May 1 of the succeeding year.

No regulations may be filed after October 1 or prior to May 1 in any year, except emergency regulations. It is the intent and purpose of this act to provide an annual effective date for all regularly adopted and filed regulations, except emergency regulations, which date shall be the effective date of the publication of the Kansas administrative regulations or the effective date of the publication of the annual supplement for such Kansas administrative regulations.

(b) At the commencement of each regular session of the legislature, the revisor of statutes shall submit to each house of the legislature one copy of all rules and regulations, except emergency rules and regulations, filed in his office prior to October 1 of the preceding year. Within sixty (60) days after such rules and regulations are so submitted, the legislature may adopt a bill or joint resolution modifying and approving or rejecting any of the rules and regulations so submitted. When any such bill or joint resolution is adopted, such rules and regulations shall become effective as modified and approved or if rejected such rules shall be void. In the event no bill or joint resolution is adopted relating to any rules and regulations submitted pursuant to this subsection, such rules and regulations shall take effect and be in force from and after the date specified in subsection (a) of this section. [K. S. A. 77-426; L. 1974, ch. 421, § 3; July 1.]

Revisor's Note:

Referred to in 8-1752.

77-427. Publication of Kansas administrative regulations and other material; binders. As soon as possible after September 1, 1965, the revisor of statutes shall assemble all regulations filed with him pursuant to the provisions of this act, and the board shall meet and immediately determine which regulations are to be published as provided in K. S. A. 77-424. The revisor shall then prepare and numerically arrange the regulations to be published, including the numbering of the pages, and he shall prepare a properly digested index to all of such administrative regulations. The revisor shall also include such notes, cross references and explanatory material as will facilitate the use of such compilation and he may also insert descriptive word headings or change such headings to clearly indicate the subject matter of the regulations. He shall deliver a copy of all such regulations and explanatory material to the state printer as soon as possible after approval by the board,

75-6

STATE OF KANSAS
 OFFICE OF
 REVISOR OF STATUTES
 STATE HOUSE, THIRD FLOOR
 TOPEKA, KANSAS 66612
 PHONE 296-2321

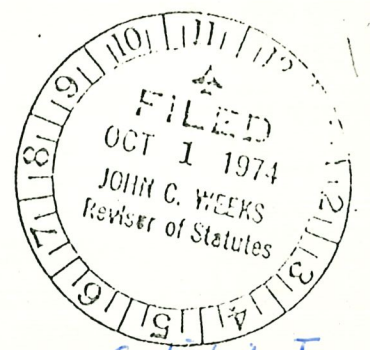


Exhibit I
 1-21-75

TO: Mr. Robert Wolfe
 State Fire Marshal
 211 West 7th
 Topeka, Kansas 66603

The following rules and regulations have been received and placed on file in this office.

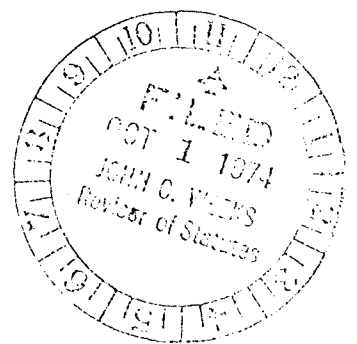
JOHN C. WEEKS
 REVISOR OF STATUTES

Date filed	Number	Subject matter
10-1-74	22-2-18 (new)	Article 2. Regulations Pertaining to Handling, Storage and Transportation of Gasoline and Similar Flammable Liquids.
	22-7-9 and 22-7-29(amended)	Article 7. Rules and Regulations Relating to Storage, Handling, Use of Flammable Liquids.
	22-13-4(amended)	Article 13. Places of Assembly
	22-16-1 thru 22-16-11 (new)	Article 16. Installation, Maintenance and use of Portable Fire Extinguishers
	22-17-1 and 22-17-2(new)	Article 17. Sale and Distribution of Early Warning, Fire Suppression or Fire Alarm Devices.

Article 2. REGULATIONS PERTAINING TO HANDLING, STORAGE AND TRANSPORTATION OF GASOLINE AND SIMILAR FLAMMABLE LIQUIDS.

22-2-18. Transportation of Class A flammable liquids. Class A flammable liquids are prohibited from being carried in the luggage or enclosed compartment of a vehicle other than those described in 22-2-1. (Authorized by K. S. A. 31-133; effective May 1, 1975.)

effective, E-74-55,
Sept. 30, 1974;



APPROVED as to
form and legality.
Attorney General
D.H. Ass't.

KANSAS NO. 7

RULES AND REGULATIONS RELATING TO STORAGE, HANDLING, USE OF FLAMMABLE LIQUIDS

22-7-9. Aboveground, field erected vertical tanks built to American petroleum institute standards. (Available from the American petroleum institute, 1271 Avenue of the Americas, New York, New York.)

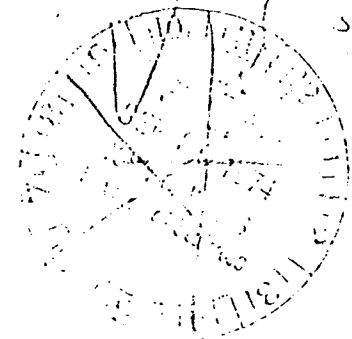
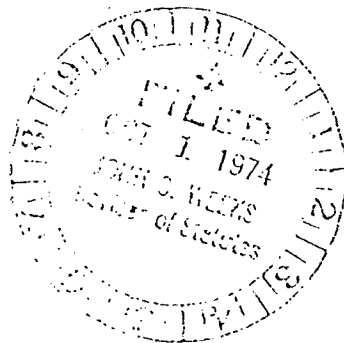
(1) Atmospheric tanks. Atmospheric tanks shall be built in accordance with American petroleum institute standards No. 12A, specification for oil storage tanks with riveted shells.

(2) Low pressure tanks. Low pressure tanks shall be built in accordance with American petroleum institute standard No. 620, recommended rules for the design and construction of large, welded, low pressure storage tanks.

(3) Production tanks. Production tanks not exceeding 126,000 gallons (3,000 bbls.) individual capacity, when used for crude petroleum storage in oil producing areas, shall be built in accordance with American petroleum institute standards No. 12B, specification for bolted production tanks, 10th edition, September 1957; or No. 12D, specification for large, welded production tanks, 7th edition, August, 1957; or No. 12F, specification for small welded production tanks, 4th edition, August, 1957, or latest edition.

(4) Bulk storage tanks. Bulk storage tanks no longer used for storage of Class I, II or III flammable liquid shall be removed from the premises within one year from the date the tanks were abandoned. Before the removal of tanks, a ratio of one gallon of carbon tetrachloride or 1,1,1-trichloroethane to 1,000 gallon tank capacity, with the maximum of 5 gallons, shall be placed in each tank. (Authorized by K.S.A. 31-133; effective, May 1, 1975.)

effective
Jan 1, 1966;



effective
E-74-55,
sept. 30,
1974

KIOBA - wants exemption for oil field production tanks

APPROVED
form
Attorney General
by DPH Ass't.

KANSAS NO. 7

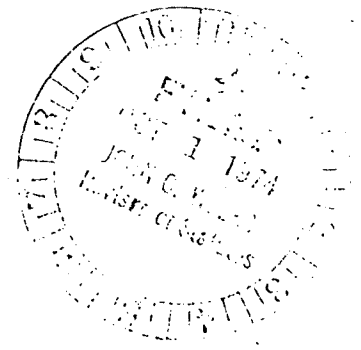
RULES AND REGULATIONS RELATING TO STORAGE, HANDLING, USE OF FLAMMABLE LIQUIDS

22-7-29. Depth and cover. Excavation for underground storage tanks shall be made with due care to avoid undermining the foundations of existing structures. Underground tanks shall be set on firm foundation and surrounded with soft earth or sand well tamped in place. Tanks shall be covered with a minimum of two feet of earth, or shall be covered with not less than one foot of earth, on top of which shall be placed a slab of reinforced concrete not less than four inches thick. When underground tanks are, or are likely to be, subjected to traffic, they shall be protected against damage from vehicles passing over them by at least three feet of earth cover, or 18 inches of well-tamped earth, plus six inches of reinforced concrete or eight inches of asphaltic concrete. When asphaltic or reinforced concrete paving is used as part of the protection it shall extend at least one foot horizontally beyond the outline of the tank in all directions.

(1) Underground storage tanks. Class I, II or III service station tanks shall be removed from the premises within 90 days from the date the station is abandoned. Before the removal of tanks, a ratio of one gallon of carbon tetrachloride or 1, 1, 1-trichloroethane to 1,000 gallon tank capacity, with a maximum of 5 gallons, shall be placed in each tank. When a service station is temporarily closed, pumps shall be removed within 30 days, lines capped and all underground tanks completely filled with water. The oil company or responsible representative shall notify the state fire marshal of the closing date, the location of the installation, either permanent or temporary, within the required 30 days. (Authorized by K.S.A. 31-133, 31-207, 75-1511; effective, May 1, 1975.

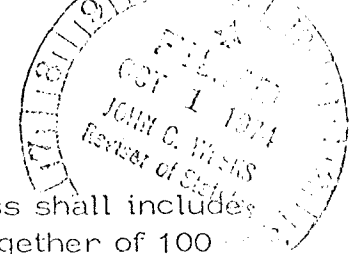
Water Contam.

effective, E-74-55,
Sept. 30, 1974;
effective Jan 1, 1966;



DPH

PLACES OF ASSEMBLY FOR 100 OR LESS



22-13-2. Definitions. A place of assembly for 100 or less shall include all buildings or portions of buildings used for gathering together of 100 or less persons for such purposes as deliberation, worship, entertainment, amusement, drinking, dining, or awaiting transportation.

Approved: Insofar as these regulations are concerned, approved shall mean and be construed as any equipment, physical installation, operational practice, and building design or construction that is acceptable to the authority having jurisdiction. Equipment, physical installations, operational practice, and building design or construction meeting requirements of the National Fire Protection Association shall be deemed to be acceptable to the authority having jurisdiction.

Authority having jurisdiction: The authority having jurisdiction shall mean and be construed as the State Fire Marshal, or any legally designated inspection or enforcement agency. Provided however, that in the case of a dispute as to whether a facility shows conformity with the applicable requirements of these regulations, all information shall be forwarded to the State Fire Marshal whose decision in the matter shall be controlling, subject to the provisions of K.S.A. 31-142, 1972 supplement. (Authorized by K.S.A. 31-133, 1972 Supplement; effective January 1, 1973.)

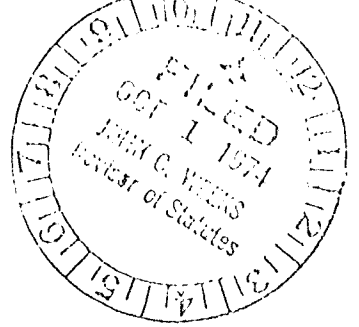
22-13-3. Fire Extinguishers. Approved portable fire extinguishers shall be maintained in a fully charged and operable condition, and kept in their designated places at all times when not in use. (Authorized by K.S.A. 31-133, 1972 Supplement; effective January 1, 1973.)

22-13-4. Automatic Extinguishing Systems. In addition to the provisions of 22-13-3, all facilities maintaining commercial cooking equipment shall have approved automatic extinguishers mounted in the ventilation canopies or directly above such equipment. All equipment must bear the Underwriters' Laboratories label and be of an approved type extinguishing agent such as CO² or dry chemical. Before any extinguishing system can be accepted it first must meet the approval of the Kansas State Fire Marshal. Provided, however, the authority having jurisdiction may exempt a facility from the requirements of this section, if, in his opinion, the waiving of this requirement would not present a definite life safety hazard. (Authorized by K.S.A. 31-133; effective January 1, 1973; amended May 1, 1975.)

22-13-5. Location of Places of Assembly. In a fire-resistive building a place of assembly may be located at any height. In a nonfire-resistive building a place of assembly shall be so located that its principal floor will not be more than 28 feet or 2 stories above the level of exit discharge and those below the level of exit discharge shall have approved automatic sprinkler protection. (Authorized by K.S.A. 31-133, 1972 Supplement; effective January 1, 1973.)

APPROVED as to form and legality.
Attorney General
by D. N. Z. Asst.

REGULATIONS FOR THE INSTALLATION, MAINTENANCE
AND USE OF PORTABLE FIRE EXTINGUISHERS



22-16-1. Official NFPA Definitions.

SHALL is intended to indicate requirements.

SHOULD is intended to indicate recommendations or that which is advised but not required.

APPROVED means acceptable to the authority having jurisdiction. The National Fire Protection Association does not approve, inspect or certify any installations, procedures, equipment or materials nor does it approve or evaluate testing laboratories. In determining the acceptability of installations or procedures, equipment or materials, the authority having jurisdiction may base acceptance on compliance with NFPA or other appropriate standards. In the absence of such standards, said authority may require evidence of proper installation, procedure or use. The authority having jurisdiction may also refer to the listings or labeling practices of nationally recognized testing laboratories, *i.e., laboratories qualified and equipped to conduct the necessary tests, in a position to determine compliance with appropriate standards for the current production of listed items, and the satisfactory performance of such equipment or materials in actual usage.

* An example of a laboratory that is nationally recognized would be Underwriters' Laboratories, Inc., 207 East Ohio Street, Chicago, Illinois 60611.

LISTED: Equipment or materials included in a list published by a nationally recognized testing laboratory that maintains periodic inspection of production of listed equipment or materials, and whose listing states either that the equipment or material meets nationally recognized standards or has been tested and found suitable for use in a specified manner.

LABELED: Equipment or materials to which has been attached a label, symbol or other identifying mark of a nationally recognized testing laboratory that maintains periodic inspection of production of labeled equipment or materials, and by whose labeling is indicated compliance with nationally recognized standards or tests to determine suitable usage in a specified manner.

AUTHORITY HAVING JURISDICTION means those persons designated in K. S. A. 1972 Supplement, 31-137. *effective E-73-14, March 23, 1973; effective E-74-9, Jan. 1, 1974; APPROVED as to form and locality.*
(Authorized by K. S. A. 1974 Supplement 31-133, *effective E-74-55, by [Signature] Ass't. Sept. 30, 1974; effective May 1, 1974.*)
Attorney General

22-16-2. Sections 1010 through 3110 inclusive; sections 3140 through 3302 inclusive; sections 3320 through 5320 inclusive; sections 5322 through 5330 inclusive; appendix A-2200 and A-3140; appendix B; appendix C-1000 through C-1411 inclusive; appendix C-1500 through C-1751 inclusive of NFPA Pamphlet No. 10, Installation of Portable Fire Extinguishers, 1972 Edition, are hereby adopted by reference. (Authorized by K. S. A. 1972 Supplement, 31-133; effective, May 1, 1975.)

22-16-3. Extinguishers for protection of Class B hazards shall be selected from the following: carbon dioxide, dry chemical, foam, loaded stream, and multipurpose dry chemical.

Note 1: Certain sizes of loaded-stream extinguishers are not classified for use on these types of fires.

Note 2: Extinguishers with ratings less than 1-B shall not be considered in determining suitability. (Authorized by K. S. A. 1972 Supplement, 31-133; effective, May 1, 1975.)

22-16-4. Extinguishers for protection of Class C hazards shall be selected from the following: carbon dioxide, dry chemical, and multipurpose dry chemical.

Note: Carbon dioxide extinguishers equipped with metal horns are not considered safe for use on fires in energized electrical equipment and, therefore, are not classified for use on Class C hazards. (Authorized by K. S. A. 1972 Supplement, 31-133; effective, May 1, 1975.)

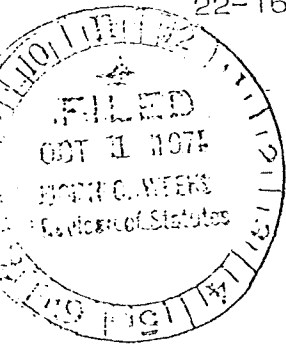
22-16-5. Hydrostatic Test Interval for Extinguishers.

Extinguisher Type	Test Interval. Year
Soda-Acid	5
Cartridge-Operated Water and/or Antifreeze	5
Storage-Pressure Water and/or Antifreeze	5
Wetting Agent	5
Foam	5
Loaded Stream	5
Dry Chemical Extinguishers with Stainless Steel Shells, Aluminum Shells, or Soldered-Brass Shells	5
Carbon Dioxide Extinguishers	5
Dry Chemical Extinguishers with Brazed-Brass Shells, or Mild-Steel Shells	12
Dry Powder Extinguishers for Metal Fires	12

(Authorized by K. S. A. 1972 Supplement, 31-133; effective, May 1, 1975.)

APPROVED as to Form and Locality. Attorney General by [Signature] Ass't.

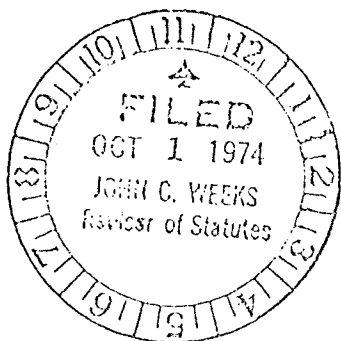
effective, E-74-55, Sept. 14, 1974;



22-16-6. The following appendix material (Table A-3000) summarizes the characteristics of extinguishers and may be used as an aid in selecting extinguishers in accordance with Chapter 3 and 22-16-3 and 22-16-4. The ratings given are those which were in effect at the time this standard was prepared. Current listings should be consulted for up-to-date ratings.

Table A-3000 — Characteristics of Extinguishers

Extinguishing Agent	Method of Operation	Capacity	Horizontal Range of Stream	Approximate Time of Discharge	Hydrostatic Test Interval	Protection Required Below 40°F	UL or ULC Classification*
Water	Stored Pressure	2½ gal.	30-40 ft.	1 min.	5 yr.	Yes	2-A
Water	Pump	1½ gal.	30-40 ft.	45 sec.	—	Yes	1-A
	Pump	2½ gal.	30-40 ft.	1 min.	—	Yes	2-A
	Pump	4 gal.	30-40 ft.	2 min.	—	Yes	3-A
	Pump	5 gal.	30-40 ft.	2-3 min.	—	Yes	4-A
Water (Anti-freeze)	Cartridge & Stored Pressure	1¼, 1½ gal.	30-40 ft.	30 sec.	5 yr.	No	1-A
Calcium Chloride)	Cartridge & Stored Pressure	2½ gal.	30-40 ft.	1 min.	5 yr.	No	2-A
	Cartridge & Stored Pressure	33 gal. (wheeled)	50 ft.	3 min.	5 yr.	No	20-A
Water (Molting Agent)	Cartridge & Stored Pressure	25 gal. (wheeled)	35 ft.	1½ min.	5 yr.	Yes	10-A
	Cartridge & Stored Pressure	45 gal. (wheeled)	35 ft.	2 min.	5 yr.	Yes	25-A
Water (Soda Acid)	Chemically generated expellant	1¼, 1½ gal.	30-40 ft.	30 sec.	5 yr.	Yes	1-A
	Chemically generated expellant	2½ gal.	30-40 ft.	1 min.	5 yr.	Yes	2-A
	Chemically generated expellant	17 gal. (wheeled)	50 ft.	3 min.	5 yr.	Yes	10-A
	Chemically generated expellant	33 gal. (wheeled)	50 ft.	3 min.	5 yr.	Yes	20-A
Loaded Stream	Stored Pressure	2½ gal.	30-40 ft.	1 min.	5 yr.	No	2 to 3-A and 1-B
	Cartridge and Stored Pressure	33 gal. (wheeled)	50 ft.	3 min.	5 yr.	No	20-A



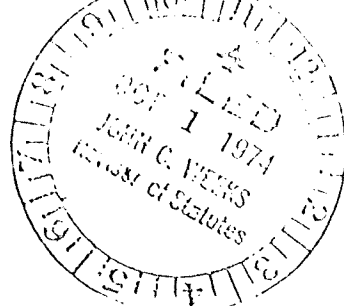


Table A-2000 — Characteristics of Extinguishers (Continued)

Extinguishing Agent	Method of Operation	Capacity	Maximum Range of Stream	Approximate Time of Discharge	Hydraulic Test Interval	Protection Required Below 40°F?	UL or ULC Classification*
Foam	Pressurized	approx. 1 lb.	5-10 ft.	30 sec.	—	Yes	1-B
Foam	Chemically generated expellant	1 1/2, 1 1/2 gal.	30-40 ft.	40 sec.	5 yrs.	Yes	1-A; 2-B
	Chemically generated expellant	2 1/2 gal.	30-40 ft.	1 1/2 min.	5 yrs.	Yes	2-A; 4-B to 2-A; 6-B
	Chemically generated expellant	5 gal.	30-40 ft.	2 min.	5 yrs.	Yes	4-A; 6-B
	Chemically generated expellant	17 gal. (wheeled)	50 ft.	3 min.	5 yrs.	Yes	10-A; 10-B to 10-A; 12-B
	Chemically generated expellant	55 gal. (wheeled)	50 ft.	3 min.	5 yrs.	Yes	20-A; 20-B to 20-A; 40-B
Carbon Dioxide	Self Expellant	2 1/2 to 5 lb.	3-8 ft.	3 to 30 sec.	5 yrs.	No	1 to 5-B;C
		10 to 15 lb.	3-8 ft.	3 to 30 sec.	5 yrs.	No	2 to 10-B;C
		20 lb.	3-8 ft.	10 to 30 sec.	5 yrs.	No	10-B;C
		50 to 100 lb. (wheeled)	3-10 ft.	10 to 30 sec.	5 yrs.	No	10 to 40-B;C
Dry Chemical (Sodium Bicarbonate)††	Stored Pressure	1 lb.	5-8 ft.	8 to 10 sec.	5 or 12 yrs.	No	1-B;C
	Stored Pressure	1 1/2 to 2 1/2 lb.	5-8 ft.	8 to 12 sec.	5 or 12 yrs.	No	2 to 5-B;C
	Cartridge and Stored Pressure	2 1/2 to 5 lb.	5-20 ft.	8 to 20 sec.	5 or 12 yrs.	No	5 to 10-B;C
	Cartridge and Stored Pressure	10 to 30 lb.	5-20 ft.	10 to 25 sec.	5 or 12 yrs.	No	10 to 60-B;C
	Nitrogen cylinder or Stored Pressure	75 to 300 lb. (wheeled)	15 to 45 ft.	20 to 105 sec.	5 or 12 yrs.	No	40 to 240-B;C
Dry Chemical (Potassium Bicarbonate)††	Stored Pressure	1 to 2 lb.	5-8 ft.	8 to 10 sec.	5 yrs.	No	1 to 5-B;C
	Stored Pressure	2 1/2 to 5 lb.	5-12 ft.	8 to 10 sec.	5 or 12 yrs.	No	5 to 10-B;C
	Cartridge or Stored Pressure	5 1/2 to 10 lb.	5-20 ft.	8 to 25 sec.	5 or 12 yrs.	No	10 to 40-B;C
	Cartridge or Stored Pressure	16 to 30 lb.	15-45 ft.	8 to 25 sec.	5 or 12 yrs.	No	40 to 120-B;C
	Nitrogen cylinder or Stored Pressure	125 to 300 lb. (wheeled)	15-45 ft.	30 to 60 sec.	5 or 12 yrs.	No	60 to 320-B;C
Dry Chemical (Potassium chloride)††	Stored Pressure	2 to 2 1/2 lbs.	5-8 ft.	8 to 10 sec.	5 or 12 yrs.	No	5 to 10-B;C
	Cartridge or Stored Pressure	5 to 10 lbs.	5-20 ft.	8 to 25 sec.	5 or 12 yrs.	No	20 to 40-B;C
	Cartridge or Stored Pressure	19 1/2 to 30 lbs.	15-45 ft.	8 to 25 sec.	5 or 12 yrs.	No	40 to 80-B;C
	Nitrogen cylinder or Stored Pressure	50 to 100 lbs. (wheeled)	15-45 ft.	30 to 60 sec.	5 or 12 yrs.	No	120 to 160-B;C
Dry Chemical (Ammonium phosphate)††	Stored Pressure †	1 to 5 lbs.	5-12 ft.	8 to 10 sec.	5 or 12 yrs.	No	2 to 10-B;C
Dry Chemical (Ammonium phosphate)††	Stored Pressure or Cartridge	4 to 8 1/2 lbs.	5-12 ft.	8 to 12 sec.	5 or 12 yrs.	No	1 to 2-A and 10 to 20-B;C
	Stored Pressure or Cartridge	9 to 17 lbs.	5-20 ft.	10 to 25 sec.	5 or 12 yrs.	No	2 to 4-A and 10 to 40-B;C
	Stored Pressure or Cartridge	17 to 30 lbs.	5-20 ft.	10 to 25 sec.	5 or 12 yrs.	No	3 to 10-A and 30 to 60-B;C
	Nitrogen Cylinder or Stored Pressure	50 to 300 lbs. (wheeled)	15-45 ft.	30 to 60 sec.	5 or 12 yrs.	No	20 to 40-A and 60 to 240-B;C

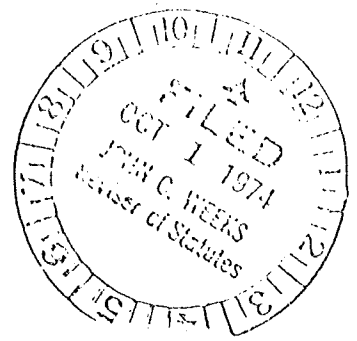


Table A-3000 — Characteristics of Extinguishers (Continued)

Extinguishing Agent	Method of Operation	Capacity	Horizontal Range of Stream	Approximate Time of Discharge	Hydrostatic Test Interval	Protection Required Below 49°F	UL or ULC Classifications*
Dry Chemical (Foam Compatible)††	Cartridge and Stored Pressure	4¾ to 9 lbs.	5-20 ft.	2 to 10 sec.	5 or 12 yrs.	No	10 to 20-B:C
	Cartridge and Stored Pressure	9 to 27 lbs.	5-20 ft.	10 to 25 sec.	5 or 12 yrs.	No	20 to 30-B:C
	Cartridge and Stored Pressure	18 to 30 lbs.	5-20 ft.	10 to 25 sec.	5 or 12 yrs.	No	40 to 60-B:C
	Nitrogen cylinder and Stored Pressure	150 to 250 lbs. (wheeled)	15-45 ft.	20 to 150 sec.	5 or 12 yrs.	No	80 to 240-B:C
Dry Chemical (Foam Compatible) (Potassium Chloride)††	Cartridge and Stored Pressure	2½ to 5 lbs.	5-12 ft.	2 to 10 sec.	5 or 12 yrs.	No	10 to 20-B:C
	Cartridge and Stored Pressure	9½ to 20 lbs.	5-20 ft.	3 to 25 sec.	5 or 12 yrs.	No	40 to 60-B:C
	Cartridge and Stored Pressure	19½ to 30 lbs.	5-20 ft.	10 to 25 sec.	5 or 12 yrs.	No	60 to 80-B:C
	Nitrogen cylinder and Stored Pressure	50 lbs. (wheeled)	15-45 ft.	30 sec.	5 or 12 yrs.	No	120-B:C

*UL and ULC ratings checked as of September 1, 1974. Readers concerned with subsequent ratings should review the pertinent "List" and "Supplements" issued by these Laboratories: (Miles Underwriters' Laboratories, Inc., 207 East Ohio St., Chicago, Illinois, 60611; or Underwriters' Laboratories of Canada, 7 Cross Road, Scarborough, Ont., Canada).

**Carbon-Dioxide extinguishers with metallic horns do not carry a "C" classification.

†Some small extinguishers containing ammonium phosphate dry chemical do not carry an "A" classification.

††Certain pressurized types have special requirements for hydrotesting to comply with regulations of the U.S. Department of Transportation.

Vaporizing liquid extinguishers (Carbon tetrachloride or chlorobromomethane base) are not recognized in this standard and reference to them has thus been deleted from this Table as compared to earlier editions.

(Authorized by K. S. A. 1972 Supplement 31-163; effective May 1, 1975.)

APPROVED as to form and legality. Attorney General effective, E-74-55, Sept. 30, 1974;

22-16-7. Sections 1000 through 1541 inclusive; sections 1554 through 5922 inclusive; sections 3400 through 4010 inclusive; sections 4030 through 5235 inclusive; sections 5250 through 5295 inclusive of NFPA Pamphlet No. 10A, Maintenance and Use of Portable Fire Extinguishers, 1970 Edition, are hereby adopted by reference. (Authorized by K. S. A. 1972 Supplement, effective, May 1, 1975.)

Effective
E-74-55,
Sept. 30, 1974

APPROVED as to
form and legality.
Attorney General
By *[Signature]* Ass't

22-16-8.

1550. Methods of Extinguisher Operation.

1551. The methods of operation of extinguishers are most conveniently arranged by grouping extinguishers according to their expelling means. Six methods are in common use.

1552. SELF-GENERATING. Actuation causes gases to be generated that provide expellent energy.

1553. SELF-EXPPELLING. The agents have sufficient vapor pressure at normal operating temperatures to expel themselves.

Table 1550
Extinguisher Operation
Suitability and Methods of Expelling

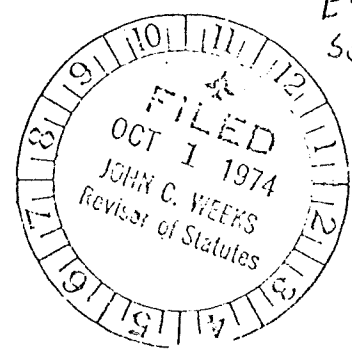
Extinguishing Materials	Classes of Fire				Expelling Methods					
	A	B	C	D	Self-Generating	Self-Expelling	Cartridge or M. Cylinder	Stored Pressure	Pump	Hand
Water and Antifreeze	x					x	x	x	x	x
Soda-Acid (Water)	x						x			
Wetting Agent	x					x				
Foam	x	x					x	x		
Loaded Stream	x	x†					x	x		
Multipurpose Dry Chemical	x†	x	x			x				
Carbon Dioxide		x	x†				x	x		
Dry Chemical		x	x							
Dry Powder (Metal Fires)					x					x

†NOTE: Certain types or sizes of these extinguishers are not recognized for use on these classes of fires. (See NFPA No. 10, Chapter 3 and 22-16-3 and 22-16-4.)

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E-74-55,
Sept. 30, 1974;

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form and legality.
Attorney General
By *[Signature]* Ass't



22-16-9.



3330. Agent and Expelling Means.

3331. Extinguisher Type and Part, Check Points and Corrective Action.

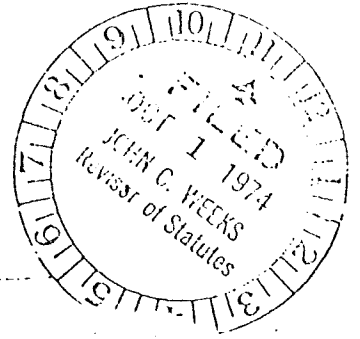
Self-Generating	
Soda-Acid Water	Corrective Action
1. Recharging date due	1. Empty, clean, and recharge
2. Improper fill levels in acid bottle and shell	2. Empty, clean, and recharge
3. Agent condition (check for sediment)	3. Empty, clean, and recharge

Foam	
Foam	Corrective Action
1. Recharging date due	1. Empty, clean, and recharge
2. Improper fill levels in inner container and shell	2. Empty, clean, and recharge
3. Agent condition (check for sediment)	3. Empty, clean, and recharge

Self-Expelling	
Carbon Dioxide	Corrective Action
1. Improper weight	1. Recharge to proper weight
2. Broken or missing tamper indicator	2. Leak test and weigh, recharge or replace indicator

Mechanical Pump	
Water and Antifreeze	Corrective Action
1. Improper fill level	1. Refill
2. Defective pump	2. Clean, repair, and lubricate, or replace
3. Water condition (dirty, cloudy, or sediment)	3. Recharge
4. Antifreeze condition (check specific gravity, or recharge record or weigh — check for sediment)	4. Recharge

Hand Propelled — Bucket or Scoop	
Water and Antifreeze	Corrective Action
1. Improper fill level	1. Refill
2. Antifreeze — improper charge (check specific gravity or recharge record)	2. Recharge
3. Missing bucket	3. Replace

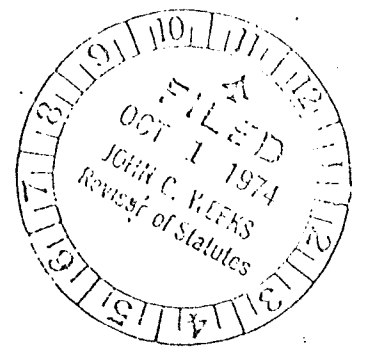


Dry Powder	Corrective Action
1. Improper fill level	1. Refill
2. Agent condition (contamination or caking)	2. Discard and replace
3. Missing scoop	3. Replace

Gas Cartridge or Cylinder	
Dry Chemical, Multipurpose Dry Chemical and Dry Powder	Corrective Action
1. Improper weight or charge level	1. Refill to correct weight
2. Agent condition (contamination, caking, or wrong agent)	2. Empty and refill
3. (a) For cartridge	3. (a)
(1) Punctured seal disc	(1) Replace cartridge
(2) Improper weight	(2) Replace cartridge
(3) Broken or missing tamper indicator	(3) Examine seal disc, replace indicator
(b) For gas cylinder with gage	(b)
(1) Low pressure	(1) Replace cylinder
(2) Broken or missing tamper indicator	(2) Leak test — replace indicator
(c) For gas cylinder without gage	(c)
(1) Low pressure (attach gage and measure pressure)	(1) Leak test. If normal, leak test and repair indicator. If low — replace cylinder.
(2) Broken or missing tamper indicator	(2) Measure pressure — leak test — replace indicator

Water, Antifreeze, and Loaded Stream	
	Corrective Action
1. Improper fill level	1. Refill to correct level
2. (a) Agent condition	2. (a)
(1) Dirty, cloudy, or sediment	(1) Empty and refill
(2) If antifreeze or loaded stream — improper charge (check specific gravity, recharge record or weigh)	(2) Recharge
3. Punctured cartridge seal disc	3. Replace cartridge
4. Improper cartridge weight	4. Replace
5. Broken or missing indicator	5. Examine seal disc — replace indicator

Wet Water	
	Corrective Action
1. Improper fill level	1. Refill
2. Agent condition (sediment and incorrect surface tension) See NFPA No. 18 — Wetting Agents.	2. Empty and refill
3. Improper cartridge weight	3. Replace
4. Broken or missing tamper indicator.	4. Leak test cartridge — weigh — replace indicator



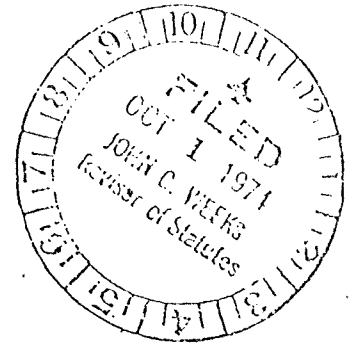
22-16-9 continued.

Stored Pressure		Corrective Action
Dry Chemical and Multipurpose Dry Chemical		
1. Refillable	1.	(a) Refill to correct weight (b) Repressurize and leak test (c) Leak test and replace indicator
(a) Improper extinguisher weight (b) Improper gage pressure (c) Broken or missing tamper indicator		
2. Disposable shell with pressure indicator	2.	(a) Replace shell (b) Depressurize; replace shell (c) Check pressure — check seal disc — replace indicator
(a) Punctured seal disc (b) Low pressure (c) Broken or missing tamper indicator		
3. Disposable shell without pressure indicator	3.	(a) Replace shell (b) Depressurize; replace shell (c) Check seal disc — replace indicator
(a) Punctured seal disc (b) Low weight (c) Broken or missing tamper indicator		
4. Disposable extinguisher with pressure indicator	4.	(a) Depressurize and discard extinguisher (b) Leak test — check pressure — replace indicator
(a) Low pressure (b) Broken or missing tamper indicator		
Water, Antifreeze, and Loaded Stream		
1. Improper fill level (by weight or observation)	1.	Refill to correct level
2. Agent condition if antifreeze or loaded stream. Improper charge (check recharge record or weigh)	2.	Empty and refill
3. Improper gage pressure	3.	Repressurize and leak test
4. Broken or missing tamper indicator	4.	Leak test — replace indicator

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effective
E-74-55,
Sept. 30, 1974;

Approved by
John C. Weeks
Assistant Attorney General



22-16-10.

4020. At intervals not exceeding those specified in the following table, extinguishers should be hydrostatically tested. The first hydrostatic retest may be conducted between the fifth and sixth years for those with a designated test interval of five years.

Table 4020
Hydrostatic Test Interval for Extinguishers

Extinguisher Type	Test Interval (in years)
Soda Acid	5
Cartridge-operated water and/or antifreeze	5
Stored pressure water and/or antifreeze	5
Wetting agent	5
Foam	5
Loaded stream	5
Dry Chemical Extinguishers with Stainless Steel Shells, Aluminum Shells, or Soldered-Brass Shells	5
Carbon dioxide	5
Dry Chemical Extinguishers with Brazed-Brass Shells, or Mild-Steel Shells	12
Dry powder extinguishers with mild steel shells	12

NOTE: Cylinders under jurisdiction of the U. S. Department of Transportation (formerly Interstate Commerce Commission) or the Board of Transport Commissioners of Canada may require hydrostatic testing at more frequent periods.

(Authorized by K. S. A. 1972 Supplement, 31-133; effective, ^gMay 1, 1975.)

22-16-11. Only extinguishers tested and listed by Underwriters Laboratories, Inc. shall be deemed acceptable to the authority having jurisdiction.

(Authorized by K. S. A. 1972 Supplement, 31-133; effective, ^gMay 1, 1975.)

effective, E-74-55;
Sept. 30, 1974;

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REGULATIONS CONCERNING THE SALE AND DISTRIBUTION OF EARLY WARNING,
SMOKE DETECTION OR FIRE ALARM DEVICES

22-17-1. Official NFPA Definitions.

SHALL is intended to indicate requirements.

APPROVED means acceptable to the authority having jurisdiction. The National Fire Protection Association does not approve, inspect or certify any installations, procedures, equipment or materials nor does it approve or evaluate testing laboratories. In determining the acceptability of installations or procedures, equipment or materials, the authority having jurisdiction may base acceptance on compliance with NFPA or other appropriate standards. In the absence of such standards, said authority may require evidence of proper installation, procedure or use. The authority having jurisdiction may also refer to the listings or labeling practices of nationally recognized testing laboratories, *i.e., laboratories qualified and equipped to conduct the necessary tests, in a position to determine compliance with appropriate standards for the current production of listed items, and the satisfactory performance of such equipment or materials in actual usage.

* An example of a laboratory that is nationally recognized would be Underwriters' Laboratories, Inc., 207 East Ohio Street, Chicago, Illinois 60611.

LISTED: Equipment or materials included in a list published by a nationally recognized testing laboratory that maintains periodic inspection of production of listed equipment or materials, and whose listing states either that the equipment or material meets nationally recognized standards or has been tested and found suitable for use in a specified manner.

LABELED: Equipment or materials to which has been attached a label, symbol or other identifying mark of a nationally recognized testing laboratory that maintains periodic inspection of production of labeled equipment or materials, and by whose labeling is indicated compliance with nationally recognized standards or tests to determine suitable usage in a specified manner.

AUTHORITY HAVING JURISDICTION shall mean the State Fire Marshal or any of his authorized deputies.

(Authorized by K.S.A. 31-133; effective May 1, 1975.)

APPROVED as to
form and legality.
Attorney General
by Q&H, Ass't.



22-17-2. No early warning, fire suppression or fire alarm device shall be sold, offered for sale, or distributed within the State of Kansas without prior approval of the authority having jurisdiction. In addition, all early warning, fire suppression and fire alarm devices must be listed by and bear the label of Underwriters' Laboratories, Inc. unless such requirement is waived by the authority having jurisdiction.

(Authorized by K.S.A. 31,133; effective, May 1, 1975.)

APPROVED as to
form and legality.
Attorney General
by DEH Ass't.

