

SENATE BILL No. 405

By Senator Ostmeyer

2-8

1 AN ACT concerning wastewater; relating to private wastewater systems.

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3 *Be it enacted by the Legislature of the State of Kansas:*

4 Section 1. (a) All existing private wastewater systems installed prior
5 to January 1, 1992, ***as allowed by a local environmental or sanitary code***
6 ***which has been approved by the Kansas department of health and***
7 ***environment***, shall be acceptable until such time a modification or
8 replacement is required or necessary for the system to function properly.
9 This section shall not apply to any private wastewater system that is in
10 violation of the Kansas statutes annotated.

11 (b) As used in this section:

12 (1) "Modification" means a substantial change in the physical
13 structure of a wastewater systems; ~~and~~

14 (2) ***"private wastewater system" means a wastewater system serving***
15 ***a single-family residence designed and constructed to collect, store and***
16 ***dispose of domestic waste, including those systems that function by soil***
17 ***absorption, evaporation, transpiration, holding tanks or any***
18 ***combination thereof. "Private wastewater system" does not include any***
19 ***system that directly discharges domestic waste onto the ground surface***
20 ***or into watercourses without a permit issued pursuant to K.S.A. 65-165,***
21 ***and amendments thereto; and***

22 (3) "replacement" means the substitution of a wastewater system in
23 its entirety with a new system.

24 Sec. 2. This act shall take effect and be in force from and after its
25 publication in the statute book.