

2016 Kansas Statutes

65-34,183. Same; department remedies for providing fraudulent information. (a) If the department determines that fraudulent information was provided by the purchaser to the department for the purpose of obtaining a CELR, the secretary may take such actions as necessary to protect human health or the environment and may take actions including, but not limited to:

- (1) Issuing an order directing the purchaser to take any emergency action necessary to protect human health and the environment;
 - (2) issuing an order revoking the CELR;
 - (3) issuing an order that will require the purchaser to implement a cleanup of the site to a standard that will allow for unrestricted use; or
 - (4) assessing an administrative penalty of up to \$500 per day starting from the date of the application to the date the department determined false information was provided by the purchaser.
- (b) Failure by a CELR recipient to grant reasonable access as required by this act or failure to otherwise comply with this act shall result in revocation of the CELR by the department.
- (c) If an owner who has received a CELR exacerbates the contamination or interferes with a department-approved remedy on the property, the department shall revoke the CELR.
- (d) If an owner who has received a CELR acquires liability for the contamination through contract, law or other mechanism, the CELR shall be null and void.

History: L. 2016, ch. 70, § 7; July 1.