

## 2023 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.