

Licensing Guide for Industrial Hemp Producers

The Kansas Department of Agriculture (KDA) is devoted to the support of agriculture in Kansas. While we must fulfill our statutory obligations, the department provides support and assistance to make Kansas farms and agribusinesses successful and help them grow if that is their desire. We also encourage more farms and other agriculture businesses to expand in or relocate to Kansas. This guide is designed to assist you as you work to build and operate as an industrial hemp producer in Kansas. In addition to license requirements by KDA, other Kansas agencies, as well as local or federal government agencies, may have regulatory requirements to follow. Contact your local planning authority to ensure you follow all local business development laws, rules, regulations, and guidelines.

Kansas Secretary of State

kssos.org

Business Services Division sos.ks.gov/business/business.html	Complete the appropriate business entity filings and forms required by the Kansas Secretary of State. Call (785) 296-4564 for more information.	Prior to starting.
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Kansas Department of Revenue

ksrevenue.org

Department of Revenue ksrevenue.org/	Visit the Department of Revenue website to find important business tax information. Call (785) 368-8222 for more information.	Prior to starting.
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Kansas Department of Agriculture

agriculture.ks.gov

Plant Protection and Weed Control agriculture.ks.gov/industrialhemp agriculture.ks.gov/seed	Kansas requires that any persons who grow or cultivate industrial hemp first obtain a license by completing the Commercial Industrial Hemp Producer Application. Review the Industrial Hemp webpage for more information or call (785) 564-6700. Kansas requires that any persons or entities that sell, offer, or expose agricultural for sale to register by completing the Application for Seed Registration. Review the Seed Documents webpage for more information or call (785) 564-6700.	Prior to growing industrial hemp. Annual deadline of March 15. Prior to selling agricultural seed. Annual renewal of July 1.
Weights and Measures agriculture.ks.gov/weight-measures	No license is needed from Weights and Measures. Any business with a weighing or measuring device (e.g. scales, fertilizer meters, oil meters, measuring tapes, electric car chargers, taxi meters, etc.) must hire a licensed service company to inspect and test devices once annually, and any time additional maintenance, repairs, adjustments, and calibrations are made throughout the year if the devices are used to determine the cost of any transaction. Examples include scales at grocery stores, yogurt shops, restaurants, hardware stores, nurseries, seed dealers, etc. Examples of meters include meters used at a car service center to add oil to your engine, fertilizer meters at agronomy centers, water meters in grocery stores for sale of bottled water, etc. For more information, visit the Weights and Measures Program webpage or call (785) 564-6681.	Annual service.

Kansas Department of Agriculture agriculture.ks.gov

<p>Division of Pesticide and Fertilizer agriculture.ks.gov/pesticide-fertilizer</p>	<p>Any retail business or person who sells a pesticide to another person for application must complete the Pesticide Dealer Registration and Application.</p> <p>Any person or business that applies pesticides is required to be licensed as a pesticide business by completing the Pesticide Business License application. Any person that applies pesticides commercially, whether as an owner or employee of a business, is required to receive a Commercial Certified Pesticide Applicator certification. Consult the Pesticide Applicator webpage for certification exam dates.</p> <p>If you have questions about pesticides approved for use on industrial hemp call and for more information, review the Pesticide Applicator, Sales, and Business Licensing Guide; the Pesticide and Fertilizer Program webpage; or call (785) 564-6688.</p>	<p>Prior to selling pesticides.</p> <p>Annual renewal of July 1.</p> <p>Prior to applying pesticides.</p>
<p>Division of Water Resources agriculture.ks.gov/dwr</p>	<p>The state of Kansas requires a permit for water used for industrial water purposes, including at greenhouses and nurseries, when the diversion of water is not incidental to the operation of a traditional farmstead, unless water is obtained from a rural or municipal water source. Review the Kansas Water Law Basics. Complete the appropriate Water Appropriation Forms. If you are irrigating or plan to irrigate your industrial hemp, visit the Division of Water Resources webpage or call (785) 564-6640.</p>	<p>Annual report of water use, March 1.</p>

Kansas Department of Health and Environment kdheks.gov

<p>Bureau of Environmental Remediation, Storage Tank Section kdheks.gov/tanks</p>	<p>Entities operating their own fuel tanks may be required to register with the Kansas Department of Health and Environment (KDHE). Review information about aboveground storage tanks (AST) and underground storage tanks (UST). Review the KDHE Storage Tank Section website for further information or call (785) 296-1678 for permitting information.</p>	<p>Prior to installing tanks.</p> <p>Annual renewal of August 1.</p>
<p>Bureau of Water, Industrial Program Section kdheks.gov/indust</p>	<p>An NPDES Construction Stormwater Permit is required only if one or more acres are disturbed during construction. The permit is required prior to the start of soil disturbing activities (construction). For more information, visit the KDHE Industrial Programs website or call (785) 296-5549.</p>	<p>Prior to construction.</p>
<p>Department of Health and Environment — Bureau of Waste Management kdheks.gov/waste</p>	<p>Facilities producing specialized organic waste may compost or apply this material to the land. Composting facilities less than one-half acre must register with KDHE and facilities greater than one-half acre must obtain a permit. An application for approval must be obtained to apply organic waste to land. For more information, review the KDHE Solid Waste webpage or call (785) 296-2751.</p>	<p>Prior to composting or land application.</p>
<p>Bureau of Water, Public Water Supply and Geology & Well Technology Section kdheks.gov/pws kdheks.gov/geo</p>	<p>If the facility will not utilize a municipal public water supply or rural water supply as the source of drinking water and the facility will serve 25 people or more per day, 60 or more days per year, it will be considered a public water supply subject to state/federal drinking water requirements. Contact the KDHE Public Water Supply Section at (785) 296-5514.</p> <p>Water wells shall be constructed by Kansas-licensed water well contractors. There are special construction requirements for water wells serving public water supplies. Contact the KDHE Geology & Well Technology Section at (785) 296-3565 for more information.</p>	<p>Prior to construction.</p>
<p>Bureau of Water, Municipal Program Section kdheks.gov/muni</p>	<p>If the facility will employ an on-site wastewater treatment system for human wastewater rather than utilize a municipal sanitary sewer for handling and disposal of sewage from the facility, contact the KDHE Industrial Programs at (785) 296-5527 for construction and permitting requirements.</p>	<p>Prior to construction.</p>

Kansas Department of Health and Environment kdheks.gov

Bureau of Air kdheks.gov/bar	Gasoline dispensing facilities are subject to federal air regulation. A guidance document is available to assist in determining regulatory requirements. Refer to the Standard Construction Permit/Approval for Gasoline Dispensing Facilities if applicable. For more information, review the KDHE Bureau of Air website or call (785) 296-6024.	Prior to dispensing fuel.
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Office of the State Fire Marshal firemarshal.ks.gov

Commercial Industrial Hemp Processing firemarshal.ks.gov/334/Commercial-Industrial-Hemp-Processing	Persons seeking to process industrial hemp must register with the State Fire Marshal; this includes licenses hemp producers who wish to process their industrial hemp. For more information about the industrial hemp processor registry applications, please visit the State Fire Marshal's website.	Prior to processing industrial hemp.
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United States Department of Agriculture fsa.usda.gov

Farm Service Agency farmers.gov/service-locator	All industrial hemp producers must report their acreage and associated license number in the FSA Crop Acreage Reporting System (CARS). A customer record for a hemp producer not already established in Customer Relationship Management (CRM) Business Partner must be created and land not already identified in an active FSA farm must be created in CRM Farm Records. If your farm is not registered with the FSA and to report your industrial hemp acres to FSA, contact your county FSA to do so.	Prior to growing industrial hemp.
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Helpful Business Development Resources for Industrial Hemp Producers

The following listed resources are provided as a service to Kansas businesses. These resources will assist business owners in obtaining useful tools for starting a Kansas business, marketing agricultural products, and developing a skilled workforce, among others.

Kansas Department of Agriculture

agriculture.ks.gov

<p>Agribusiness Development, Domestic & International</p> <p>agriculture.ks.gov/divisions-programs/agricultural-marketing-advocacy-and-outreach-team/business-development</p>	<p>The agribusiness development team works to grow the Kansas agriculture industry and economy by connecting people, working through regulatory requirements, as well as navigating support and incentive options for Kansas agribusinesses. The team handles both domestic and international business-related activities. For domestic questions, contact Russell Plaschka, Agribusiness Development and Workforce Program Manager, at Russell.Plaschka@ks.gov or (785) 564-7466. If your business has questions on importing or exporting, contact Suzanne Ryan-Numrich, International Trade Director, at Suzanne.Numrich@ks.gov or (785) 564-6704.</p>
<p>From the Land of Kansas Program</p> <p>agriculture.ks.gov/divisions-programs/agricultural-marketing-advocacy-and-outreach-team/from-the-land-of-kansas</p>	<p>From the Land of Kansas™ trademark program’s goal is to help businesses that grow, produce, process, or manufacture products in Kansas. In addition, the program works with and supports restaurants using Kansas products and retailers selling Kansas products and ingredients. The trademark program helps members promote their Kansas products and provides members with a variety of business development tips and opportunities, including marketing assistance. In addition, the state trademark provides a consistent way to identify Kansas agriculture-based products.</p> <p>Register your business for membership with From the Land of Kansas. For more information, contact Janelle Dobbins, From the Land of Kansas Marketing Manager, at Janelle.Dobbins@ks.gov or call (785) 564-6759.</p>
<p>Agricultural Workforce Development</p> <p>agriculture.ks.gov/divisions-programs/agricultural-marketing-advocacy-and-outreach-team/workforce-development</p>	<p>KDA’s Workforce Development can connect you with secondary and post-secondary resources to find skilled employees and/or assist in developing a training program to fit your needs. For more information, contact Russell Plaschka, Agribusiness Development and Workforce Program Manager, at Russell.Plaschka@ks.gov or (785) 564-7466.</p>

Kansas Crop Improvement Association

kscrop.org

<p>Kansas Crop Improvement Association (KCIA)</p> <p>kscrop.org/Industrial%20Hemp.html</p>	<p>Kansas Crop Improvement Association (KCIA) is the official state certification agency for the certification of seeds or other plant parts for the use of plant propagation. For more information, visit the KCIA website or call (785) 532-6118.</p>
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Kansas Department of Commerce

kansascommerce.gov

<p>KANSASWORKS</p> <p>kansasworks.com</p>	<p>KANSASWORKS is a free, web-based resource connecting employers with skilled employees and training providers. Call (877) 509-6757 for more information on how to utilize the KANSASWORKS services for filling your employment needs.</p>
<p>Rural Opportunity Zones</p> <p>kansascommerce.gov/roz</p>	<p>The Rural Opportunity Zone program is a state program authorizing financial incentives to new full-time residents in Kansas. The two types of assistance include Kansas income tax waivers for up to five years and/or student loan repayments up to \$15,000. For more information, please contact the Kansas Department of Commerce at (785) 296-3481.</p>

Other Resources

Small Business Environmental Assistance Program (SBEAP) sbeap.org	The Small Business Environmental Assistance Program can provide free on-site assistance to small businesses who need help understanding environmental compliance requirements. SBEAP also provides assistance with air quality tools, hazardous waste regulatory compliance, National Pollutant Discharge Elimination System (NPDES) permitting, and storage tank requirements. Contact SBEAP at (800) 578-8898 or sbeap@ksu.edu for more details.
Network Kansas networkkansas.com	Network Kansas works with new and existing businesses to provide a central portal that connects entrepreneurs and small business owners with expertise, education, and economic resources. The KSHIP mobile application, available on iOS, is designed to provide simplified access to resources through connections, classes, and capital resources. Call (877) 521-8600 for more details.
Kansas Small Business Development Center (KSBDC) kansassbdc.net	The Kansas Small Business Development Center is a network of service centers located throughout Kansas offering business consulting to small businesses. Call (800) 452-6727 for more information.
Kansas Business Center kansas.gov/businesscenter/	The Kansas Business Center is a resource for information, filings, and personal assistance to start or maintain a Kansas business. Call (877) 521-8600 for more details.
K-State Research and Extension ksre.ksu.edu	K-State Research and Extension is a statewide network of educators sharing unbiased, research-based information and expertise on issues important to Kansas. It has established local, state, regional, national, and international partnerships. For more information, please call (785) 532-5820.
USDA Rural Development rd.usda.gov	USDA's Rural Development program offers loans, grants, and loan guarantees to support services such as housing, economic development, health care, first responder services and equipment, water, electric, and communications infrastructure.
USDA New Farmers newfarmers.usda.gov	USDA's New Farmers program assists farmers in finding resources customized to their specific type of farm. Subcategories are focused on young and beginning farmers, women in agriculture, youth, and veterans.