**Private Letter Ruling**

|  |  |
| --- | --- |
| **Ruling Number:** | **P-1998-130** |

|  |  |
| --- | --- |
| **Tax Type:** | **Kansas Retailers' Sales Tax** |
| **Brief Description:** | **Consumed in Production.** |
| **Keywords:** |  |
| **Approval Date:** | **09/11/1998** |

**Body:**

Office of Policy & Research

September 11, 1998

XXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXX

Dear XXXXXXXXXXXX:

The purpose of this letter is to respond to your letter dated August 14, 1998. This is a private letter ruling pursuant to Kansas Administrative Regulation 92-19-59.

You stated in your letter that your company manufactures tools for the purpose of resale. In the process of making certain tools carbide is silver soldered to steel. You asked if there is a sales tax exemption for the oxygen and acetylene that is used to silver solder.

Your company has a electrical discharge machine. This machine is used to cut stock to form tools. During the cutting process, parts are submerged in a tank containing de-ionized water and regeneration resin. Every three months, the tank resins must be changed.

It is the opinion of the Kansas Department Revenue:

Oxygen and acetylene used in the manner described in your letter would be consumed in production and would exempt from Kansas retailers’ sales tax per K.S.A. 79-3606(n).

The de-ionized water regeneration resin used in the manner described in your letter would be consumed in production and would exempt from Kansas retailers’ sales tax per K.S.A. 79-3606(n).

This private letter ruling is based solely on the facts provided in your request. If it is determined that undisclosed facts were material or necessary to an accurate determination by the department, this ruling is null and void. This private letter ruling will be revoked in the future by operation of law without further department action if there is a change in the statutes, administrative regulations, or case law, or a published revenue ruling, that materially effects this private letter ruling.

Sincerely,

Mark D. Ciardullo
Tax Specialist

MDC

**Date Composed: 09/11/1998 Date Modified: 10/10/2001**