

MINUTES OF THE Senate COMMITTEE ON Energy and Natural Resources

The meeting was called to order by Senator Charlie L. Angell at
Chairperson

8:00 a.m./~~p.m.~~ on Friday, February 10, 1984 in room 123-S of the Capitol.

All members were present except:

Senator Richard Gannon (Excused)

Senator Paul Hess

Committee staff present:

Ramon Powers, Research Department

Raney Gilliland, Research Department

Don Hayward, Revisor's Office

LaVonne Mumert, Secretary to the Committee

Conferees appearing before the committee:

Don Carlson, Kansas Department of Health and Environment

Dr. John Davis, Kansas Geological Survey

Lynn Watney, Kansas Geological Survey

Don Steepes, Kansas Geological Survey

Dr. Manoutch Heidari, Kansas Geological Survey

Senator Gordon moved that the minutes of the February 9, 1984 meeting be approved. Senator Feleciano seconded the motion, and the motion carried.

S.B. 562 - Water supply and sewage; definitions

Don Carlson reviewed the written answers to questions raised by the Committee on the bill (Attachment 1). He said that indirect discharge is discharge into a sewer system. Answering questions from Senator Chaney, Mr. Carlson said that the pretreatment program is aimed at types of waste that are not the typical domestic type of sewage, such as heavy metals and toxic organics. He also said that the bill would give the state the authority to regulate the pretreatment program at the state level and they will leave it up to the cities to be responsible for administering the program at the local level. Chairman Angell asked about the consequences if the bill is not passed. Mr. Carlson said that the Environmental Protection Agency would then administer the program and the department could lose some of its federal funds. Responding to a question from Senator Werts, Mr. Carlson advised that the department is now operating under a memorandum of understanding with the Environmental Protection Agency.

Senator Werts moved that the bill be recommended favorable for passage. Senator Feleciano seconded the motion, and the motion carried unanimously.

Dr. John Davis talked about graphics and the use of computer graphics done by the Kansas Geological Survey. He explained how they use computerization to produce their four-color maps. Two examples he showed were maps of the strength of the magnetic field in Kansas and of the oil and gas fields in Kansas. He explained some of the advantages of computerized maps.

Lynn Watney discussed two major projects the Survey is involved with at the present time. One is a cooperative study with the U.S. Geological Survey and the Missouri Geological Survey on the Joplin Quadrangle. This area had a major ore deposit of zinc and lead, and they are attempting to determine whether there are favorable conditions or terrain that could contain another major deposit. The second project concerns the Salina Basin. Mr. Watney showed by map the lack of any significant oil and gas fields in this area. Their goal is to reassess the Salina Basin with careful geological analysis and to identify the geological conditions favorable for the accumulation of petroleum deposits.

Don Steeples spoke about seismic activity. He spoke about the potential for collecting data concerning groundwater, pump tests, wells and cavity detection.

Dr. Manoutch Heidari told the Committee about current programs relating to groundwater and surface water and proposed programs involving the Sandstone Aquifer, the Kansas River and a water planning model for the state.

The meeting was adjourned at 9:04 a.m. by the Chairman. The next meeting of the Committee will be at 8:00 a.m. on February 14, 1984.

Senate Energy + Natural Resources

Feb. 10, 1984

| <u>Name</u> | <u>Organization</u> |
|-------------------|-----------------------------------|
| Ed Remert | KS League Women Voters |
| CHARLES CAENEEL | Gov's Fellow / KWO |
| Don Carlson | Ks, Dept. of Health & Environment |
| DEAN HOBBSKY | KANSAS GEOLOGICAL SURVEY |
| John C. Davis | " " " |
| Don Steeples | " " " |
| Lynn Watney | " " " |
| Don Schracke | KIOGA |
| Jim McBrink | United Way of Topeka |
| Whitney B. Damon | KNRC |
| M. Heidari | KGS |
| W. Hambleton | FGS |
| Glen E. Kirk | U.S. Bureau of Reclamation |
| Kathleen Champlin | UCS - Jo Co. |
| Morris Glatzback | Kans Dept. Health & Env. |
| Rick Kready | KPL / Gas Service Co. |
| Charles V. Damon | KDHE |

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

Response on Inquiries to S.B. 562

By

Barbara J. Sabol, Secretary

To

Energy and Natural Resources Committee

February 9, 1984

1. Question: What municipalities will have to comply with the pretreatment requirements? What is their status?

Answer: Any publicly-owned treatment works (POTWs) with a total design flow greater than 5 million gallons per day (MGD) or combination of wastewater treatment systems whose combined total design flow is greater than 5 MGD and receives from industrial users pollutants which pass through the wastewater system untreated, interferes with the operation of wastewater system, or are otherwise subject to Environmental Protection Agency (EPA) pretreatment standards will be required to establish formal pretreatment programs at the local level. Based upon these criteria, it could theoretically include any or all municipalities in the state of Kansas. In preparing the state program package, required by EPA to obtain program delegation, we tentatively identified 21 municipalities as having a high priority for being required to develop a formal pretreatment program. While the Department has not received pretreatment program delegation from EPA, we have proceeded in assisting these 21 municipalities in evaluating whether they would be required to develop a formal pretreatment program at the local level. Due to limited manpower and resources, we have simply concentrated on these 21 high priority municipalities. To date, 9 municipalities have been certified by the Kansas Department of Health and Environment. EPA has formally approved 7 of these programs. Hutchinson, Johnson County Unified Wastewater Districts, Kansas City, Hiawatha, McPherson, Olathe, Salina, Topeka, and Wichita all have fully developed programs which are either being implemented or on the verge of being implemented once formal approval is received by the EPA Regional Office. Four municipalities are currently in the process of completing the development of their programs. Emporia, Independence, Lawrence, and Pittsburg are all in the process of completing the documentation required before certification and approval can be granted. Eight municipalities are currently believed to be exempt from formal program development. Arkansas City, Atchison, Chanute, Coffeyville, El Dorado, Great Bend, Iola, and Neodesha have all submitted detailed industrial surveys along with copies of their sewer use ordinances. These documents are in the

Atch. 1

process of being reviewed and a determination will be made as to whether they will be required to develop formal programs. At this point in time we do not believe formal programs for these cities will be required. The State Pretreatment Program needs to be viewed as a long-term and continual program responsibility. Municipalities which may be exempted at this time from developing formal pretreatment program requirements may ultimately be required to develop a program either when industries begin creating problems as a result of the wastewater discharges they direct to the municipal sanitary sewer system or when an industry, covered by promulgated EPA categorical pretreatment standards, decides to locate or begin production activities which would necessitate pretreatment requirements.

2. Question: What is an indirect discharge and why is it necessary to have it included in this Act?

Answer: An indirect discharge would be any wastewater introduced into a municipal sewer system which does not have the characteristics of typical domestic wastewater. Examples of an indirect discharge would be cooling or process wastewater from industrial manufacturing operations or commercial facilities. The reason for including the definition of an indirect discharge in the Act was to clarify our regulations and adequately provide authority to the Kansas Department of Health and Environment for controlling commercial and industrial discharges into publicly-owned treatment works. Our existing statutes and regulations address the Agency's authority to permit and regulate discharges to "Waters of the State". The proposed amendment will clarify any questions the regulated community may have as to whether the Agency has authority to regulate or control such discharges since there may have been a question as to whether sewage, in municipal sewers, would be considered "Waters of the State".

3. Question: Are municipalities already meeting some of the pretreatment requirements?

Answer: Seven of the 9 municipalities which have received certification by the Department have been reviewed and approved by the EPA Regional Office. All 7 of these municipalities are currently implementing their local pretreatment program requirements at this time. All of the 21 municipalities currently in the statewide pretreatment program are reviewing, evaluating, and modifying their water pollution control program activities to adequately address industrial contributors to their wastewater treatment systems.