

Approved 4/4/88
Date

MINUTES OF THE SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES

The meeting was called to order by Senator Merrill Werts at
Chairperson

8:00 a.m./~~p.m.~~ on March 23, 1988 in room 123-S of the Capitol.

All members were present except:

Committee staff present:

Don Hayward - Revisor Raney Gilliland
Nancy Jones - Secretary

Conferees appearing before the committee:

Dennis Murphey, Department of Health & Environment
Stanley Grant, Secretary, Department of Health & Environment
Representative David Heinemann
Dan Harden, Public Works Director, Riley County
Margaret Ahrens, Sierra Club
Charlene Stinnard, Natural Resource Council
Ron Fox, Director, Mined Land Board
Judy McConnell, Kansas Corporation Commission

Hearings on:

HB 2870 - Concerning hazardous waste

Chairman Werts requested Dennis Murphey to review the proposed legislation for the Committee. Mr. Murphey stated passage of HB 2850 in 1986 established a pilot program for collection of hazardous waste from households, schools, farms and small businesses and the education of the public on safe disposal of the wastes. HB 2870 will continue this program and provide a grant fund available to cities, counties and other units of government on a 50% matching basis for contractor's cost of collecting and disposing of hazardous waste materials. Approximately \$75,000 has been designated by KDHE for funding the program. Provisions in the bill allow the opportunity for collective efforts between small units of government which could not support such a program alone. The results of testing the program last summer demonstrated effective disposal of waste by the citizens is technically and economically feasible. (Attachments I, II, III)

Representative Heinemann stated HB 2870 is a continuation of the pilot program on a cost share basis and with the participation of farmers for effective hazardous waste disposal. A proposed amendment would limit participation to those not currently regulated and allow a fee to be charged to small businesses with wastes for disposal in quantities which total less than the minimum amount regulated by existing statute.

Dan Harden testified that Riley County has high interest in disposal of household hazardous waste as Riley is the only county under a KDHE closure order. Issuance of the order followed discovery of excessive groundwater contamination from household hazardous wastes. County Commissioners found initiation of a collection and disposal program to be financially unfeasible as a buy down of 30 to 40 years of accumulated waste placed the cost in excess of \$60,000. Mr. Harden stated Riley County could assume the costs of disposal after participation in the initial collection process under the proposed grant program. Presently Riley County is working with five adjoining counties to develop a regional disposal facility for cost effectiveness. (Attachment IV)

Charlene Stinnard stated the proposed legislation is a significant step toward responsible management of waste, plus it provides education of the public. Enormous quantities of waste are being created which necessitates long range planning and focus upon prevention of hazardous waste. Possible solutions are: incentives for commercial recovery, reduce the amount of toxic substances produced, destroy the hazardous characteristics of materials with treatment, and strong policies by municipal entities for recycling. (Attachment V)

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES,
room 123-S Statehouse, at 8:00 a.m./~~p.m.~~ on March 23, 1988

Margaret Ahrens stated that landfilling of hazardous waste is a threat to ground and surface water and promotion of programs addressed in HB 2870 are a priority to protect our natural resources. Consideration should be given to establishment of a separate collection fund with separate appropriations to avoid depleting an overtaxed cleanup fund. HB 2870 will provide incentives for communities to educate the public and begin effective management of household hazardous waste.
(Attachment VI)

During discussion Mr. Murphey acknowledged two applications have been submitted for establishment of a commercial waste disposal facility in Kansas, one of which might be in operation within two or three years. At present, Kansas has the option of exporting waste to facilities in any one of five states. It was noted that imports of hazardous waste for recycling or cogeneration totaled more than the export total in 1987. Use of hazardous organic liquids as a supplemental fuel at a cement kiln in Southeast Kansas results in this imbalance. Mr. Murphey feels HB 2870 correctly allows joint operations by a number of small counties, to attain a lower unit price for disposal of materials.

HB 3009 - Concerning mined land conservation and reclamation

Stanley Grant stated a recommendation has been made by the KCC to abolish the Mined Land Conservation Board and place the responsibilities of the Board with the staff of KDHE. There has been considerable increase in the technical quality of the KDHE staff regarding abandoned mined land programs. Current staff of the Mined Land Board will be retained in Pittsburgh with Ron Fox as Director. KDHE will lend logistical, technical and administrative support. The proposed consolidation of the two agencies will allow quicker response to problems when action is required as the Mined Land Board meets only every two months.
(Attachment VII)

Judy McConnell testifying on behalf of Keith Henley, Chairman of the Mined Land Conservation and Reclamation Board expressed strong support of the proposed transfer of its program to KDHE. State regulation of this program could be significantly improved with transfer of this authority from the KCC.
(Attachment VIII)

Ron Fox stated he endorsed HB 3009 for several reasons: it lends more efficiency, expedites the regulatory function, utilizes technical competency and eliminates duplication. The competency of the 14 member staff now in place will enhance action required and eliminate the time delay as day to day decisions are needed. The rules and regulations of the Board will be transferred to KDHE with this legislation.
(Attachment IX)

Concerns have been expressed by soil conservationists and citizens about transfer of the agency to KDHE that their interests will be ignored.

A motion was made by Senator Vidricksen to recommend favorably HB 3009; seconded by Senator Langworthy. Motion carried.

Dennis Murphey gave a slide presentation of the pilot hazardous waste collection pilot programs conducted at Great Bend and Wichita.

Meeting adjourned. The next meeting will be March 24, 1988.

3/23/88

Guest List

John C. Woodman	KCPAL	KC MO *
Margaret Ahrens	Ks Chap Service	273-7346
Charlene O'Stearn	KNRC	233-6707
Lispeth Byer	KNRC	"
Brian An Rye	KCC/Mined Land Board	X2545
Ron Fox	"	316-231-8540
Justin McConnell	KCC	2347
DAN HARTDEN	Riley County	913/537-6330
Kenneth Keran	Conservation Commission	Topoka
Richard E Rolf	OWR-KSBA	Topoka
Ed. Reucost	Ks League Women Voters	Topoka
Jeri Runnebaum	Washburn	Topoka

STATE OF KANSAS



DEPARTMENT OF HEALTH AND ENVIRONMENT

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Mike Hayden, *Governor*

Stanley C. Grant, Ph.D., *Secretary*

Gary K. Hulett, Ph.D., *Under Secretary*

Testimony Presented to

Senate Energy and Natural Resources Committee

by

The Kansas Department of Health and Environment

House Bill 2870

Historical Background

Passage of House Bill 2850 by the 1986 Legislature established a pilot program for the collection of small quantities of hazardous waste from households, schools, farms and small businesses. The program's purpose was to educate the public regarding the hazards associated with hazardous wastes and to provide a safe means of disposal for such wastes. The department conducted two pilot programs, one in Great Bend and one in Wichita. They were held in November of 1986. Each program included a strong educational component including direct mail-outs, speaking engagements and materials provided to the general public at the programs. Over 500 persons participated in the two programs and 45,000 pounds of hazardous waste were collected and properly disposed. The cost of the two programs was approximately \$112,000 and they were funded by the state of Kansas through the hazardous waste cleanup fund. The cities and counties where the programs were held provided substantial in kind assistance.

Discussion

Many chemicals routinely used in households and on farms may present a safety hazard as well as an environmental problem if disposed improperly or if disposed of at a sanitary landfill. Solid waste collection personnel and personnel working at sanitary landfills may be exposed to injury from direct contact with small quantities of pesticides, acids and ignitable wastes when containers break or are crushed at the landfill by compaction equipment. These same wastes also create the potential for surface water and ground water contamination if they escape from the landfill or are disposed of improperly. This situation is exacerbated by lack of knowledge regarding which household chemicals pose problems and how to dispose of those chemicals. The high cost of hazardous waste disposal also discourages the use of appropriate disposal methods.

ATTACH I
3/23-88

Implementation

House Bill 2870 provides for continuation of the household hazardous waste collection program with an emphasis on greater involvement by local units of government. The bill would create a grant fund available to cities, counties or other units of government interested in sponsoring a collection program. Interested parties could apply to the department for a 50% matching grant to be used for program expenses. Eligible expenses for the matching grant would be contractual costs for the hazardous waste contractor who would collect, package, transport and dispose of the wastes and related operational expenses. The dollars to provide the state match would come from the hazardous waste cleanup fund. The department proposes that \$50,000 to \$75,000 of the cleanup fund money be designated for this purpose.

The actual programs themselves would be similar to those conducted by the department in Great Bend and Wichita in November of 1986. A collection station would be established in a convenient location to receive wastes from households, farmers, and small businesses. The stations would be set up by a hazardous waste contractor working under contract to the local unit of government. Department personnel would be at the site to aide in over-seeing the contractor and screening wastes received.

Upon completion of all phases of the collection program, the department would once again prepare a report for the Legislature, summarizing the participation in the program and the total cost of the program.

Department Position

In 1986 Kansas joined the ranks of the numerous states who have recognized the value of managing certain household wastes outside the traditional domestic waste disposal systems - sanitary landfill or sanitary sewer. The collection programs conducted in Wichita and Great Bend were only two of the hundreds of such efforts conducted nationwide in recent years, but they accomplished three major objectives:

1. They provided an opportunity for more than 500 environmentally-conscious Kansas citizens to safely dispose of an inventory of various household and farm chemicals they had been wisely unwilling to dump on the ground, put in the trash, or flush down the sewer.
2. They provided a demonstration that it was both technically and economically feasible to manage such household wastes in an environmentally safe manner.
3. They provided an excellent means for educating the public regarding the importance of sound environmental management of the wastes produced as a byproduct of the manufacturing of goods and the provision of services which allow us to maintain the standard of living we enjoy in Kansas.

We regard the program of 1986 as an unqualified success and an outstanding example of cooperation between state and local government. Consistent with the philosophy that solid waste management is a responsibility of local government, we believe that House Bill 2870 takes the program the next logical step

forward. It provides a cooperative, cost-sharing effort between state and local government and it allows the opportunity for collective efforts between several local units of government.

The department recommends passage of House Bill 2870.

Presented By:

Dennis R. Murphey, Director
Bureau of Waste Management
March 23, 1988

FINAL REPORT

KANSAS HOUSEHOLD HAZARDOUS WASTE COLLECTION DAYS PROJECT

February, 1987



PREPARED BY
KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
Forbes Field Topeka, KS 66620-7200
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ATTACH II
3-23-88

FINAL REPORT
KANSAS HOUSEHOLD HAZARDOUS WASTE COLLECTION DAYS
February, 1987

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Section I

INTRODUCTION AND BACKGROUND

With the passage of House Bill No. 2850, the Kansas Legislature established a pilot project to provide for the safe, environmentally-sound disposal of small amounts of hazardous wastes accumulated by Kansas households, farms, schools, state agencies, local units of government, and small businesses. This statute---which was introduced by Representative David Heinemann of Garden City---reflects the growing statewide and national concern about the proper handling and disposal of hazardous materials. Among the common household items which frequently contain hazardous constituents are paints, pesticides, cleaners, solvents, battery acids, and used motor oil. When correctly used and disposed of, these chemicals are largely beneficial. However, the concerns associated with improper disposal may involve:

Injuries to refuse workers when containers of hazardous waste burst or leak during collection, transportation, or disposal;

Damage to solid waste handling equipment from explosions or corrosion;

Leachate migration from landfills;

Contamination of shallow groundwater by leakage of contaminants from septic tank and lateral field systems;

Direct disposal onto the ground; and

Injuries to children or animals from spillage or tampering.

When placed in a nation wide context, the improper disposal of these wastes add up to a problem of large proportions. The paucity of information on the health and environmental effects of hazardous wastes commonly found around households, farms, schools, businesses and state agencies is matched by the lack of data on the use, storage and disposal of those wastes. Estimates are that up to 1% of the household waste stream is hazardous. That 1% would convert to approximately 17,250 tons of hazardous materials to be disposed of by Kansas citizens each year. Without a viable option for environmentally-sound disposal, Kansas citizens have little choice but to send hazardous wastes to their local solid waste landfill, empty them into the sewer system, pour them onto the land, or simply allow these dangerous materials to stockpile in the garage, barn, or storage room.

Section II

COMMUNITY OUTREACH AND EDUCATION

In a letter sent out on June 24, 1986, Kansas communities having populations greater than 15,000 were invited to submit applications for participation in the Kansas Household Hazardous Waste collection Days Project. Of the twenty-five cities eligible to participate, several cities expressed interest, and five cities---Wichita, Great Bend, Liberal, Hutchinson, and Manhattan---submitted applications. Of the five applicants, Wichita/Sedgwick County and Great Bend/Barton County were selected as participants on the basis of their support at both the city and county level, their ongoing efforts at environmental protection and education, and their willingness to dedicate staff time and other resources to the project. In addition to notifying the participants of their acceptance, KDHE issued a news release on September 4, 1986 announcing the selected cities and describing the Collection Days Project.

Upon selection of the two host communities, KDHE immediately issued a Request for Bid (RFB) to hazardous waste contracting firms and notified the Kansas Register. The Department received bids from two firms with experience in operating Household Hazardous Waste Collection Projects---GSX Services of Greenbrier, Tennessee; and the Rollins Company of Baton Rouge, Louisiana. GSX met all requirements in the bid package, at a lower price, and was selected as the Contractor on September 20, 1986.

With selection of the contractor, the dates and locations for the Kansas Household Hazardous Waste Collection Days Project were set for November 7-9 at the Great Bend Expo Building, and November 13-16 at the Wichita/Sedgwick County Department of Health. In a joint meeting with all the affected parties---KDHE, GSX, Wichita/Sedgwick County and Great Bend/Barton County---it was decided that the project would be formally kicked off with press conferences in both Wichita and Great Bend on the morning of October 30, 1986.

Between late September and October 30th, staff from KDHE, GSX, Wichita/Sedgwick County and Great Bend/Barton County dedicated a large number of work hours focusing on three elements of the project:

- (1) working out the technical details attendant to actually receiving materials at the collection sites;
- (2) contacting potential sponsors who might, through donation of funds or materials, help offset the costs of operating the project; and
- (3) preparation of educational and publicity materials.

Details of collection activities are presented in Section III of this report. Efforts to solicit donations were rewarded by the contribution of \$2,000 from the Vulcan Materials Company, and 60 disposal barrels (valued at \$2,100) from the Kansas Gas & Electric Company. We are very grateful for these donations which allowed KHDE to commit \$4,100 for other much-needed environmental

remediation efforts. Work on the third element---outreach and education materials---resulted in a multi-media campaign to both promote the Collection Days Project and to educate the public on proper use and disposal of hazardous materials.

With the October 30th press conference, staff from Wichita/Sedgwick County, Great Bend/Barton County, and KDHE began an extensive community outreach and education effort. Specifically, this effort included the following elements.

- (1) Announcement on Utility Bills: Residents of Wichita received an 80 character promotional message about the Collection Project in their water and trash bills.
- (2) Direct Mailing of Flyer: Every household in Great Bend/Barton County (an estimated 8,000 residences) received a copy of a brochure promoting the Kansas Household Hazardous Waste Collection Days Project.
- (3) Distribution of the Educational Pamphlet: In addition to the promotional flyer, KDHE, Wichita/Sedgwick County and Great Bend/Barton County distributed nearly five thousand copies of a pamphlet titled "Hazardous Waste, What You Should and Shouldn't Do." Produced by the Water Pollution Control Federation, this pamphlet is a practical guide to proper disposal of common household materials. It was distributed at speaking engagements, at the Great Bend/Barton County Health Fair, and at the collection sites.
- (4) Speaker's Bureau: Staff from Wichita/Sedgwick County and Great Bend/Barton County went on an extensive speaking tour following the press conference kick-off. Principal audiences for these speaking engagements---which addressed both the Collection Days Project and the educational issues---included community service organizations; large employers such as Vulcan Materials Company, Fuller Brush Company, and Boeing Aircraft Company; city councils for communities outside Wichita and Great Bend; and a variety of radio and television news and community affairs programs.
- (5) Press Packets, Videotapes, and Public Service Announcements: Press packets containing press releases, technical elements of the GSX proposal a copy of H.B. 2850, the promotional flyer and an educational pamphlet were distributed to media representatives in Wichita/Sedgwick County and Great Bend/Barton County. A promotional and explanatory videotape, produced by GSX, was provided to area television stations, and a humorous Public Service Announcement, prepared by KAKE, was broadcast in the Wichita area.

Section III

COLLECTION RESULTS

Collection activities took place on November 7-9, 1986 at the Great Bend Expo Building in the Great Bend Industrial Airport, and on November 13-16 at the Wichita/Sedgwick County Department of Health at 1900 E. 9th Street. In addition to operating the collection sites, GSX stopped in Topeka on November 10th to remove an amount of hazardous materials which had been delivered to KDHE offices by residents of northeast Kansas who had contacted the department about disposal of waste materials.

Operation of the collection sites was a cooperative effort involving personnel from GSX, the cities/counties, and KDHE. With exception of the Topeka stop, where wastes were simply taken by GSX from a storage shed, collection occurred in three phases.

Phase I: Participants were directed to a parking lot, where staff met them at their vehicle. After ascertaining the nature and amount of waste to be disposed of, staff helped participants carry the waste materials to a sorting table.

Phase II: At the sorting table, collected wastes were grouped into several categories including flammables, toxics, reactives, waste oil, and non-hazardous materials. Non-hazardous materials---principally partially full cans of water-based paints---were disposed of at the landfills in Sedgwick and Barton counties. Hazardous materials were inspected, labeled, inventoried, and overpacked (put in absorbent-filled metal drums) by GSX chemists.

Phase III: Participants were asked to stay at the sorting table to answer any questions that might have arisen about the materials they brought in, and to fill out the questionnaire discussed in Section IV of this report.

The results of collection efforts and diagrams of the collection sites are summarized in the following tables. In addition to the listed amount of household wastes, the collection project took in approximately 2,000 lbs of waste from regulated small generators.

Table (III) 1: Project Participants

	NUMBER OF PARTICIPANTS	AMOUNTS OF WASTE (pounds)	PERCENT
Great Bend/Barton County	77	7,388.0	16.3
Wichita/Sedgwick County	433	35,435.5	78.4
Topeka	N/A	2,397.0	5.3
Total	510	45,220.5 lbs	100%

Table (III) 2: Waste Removed by Site and Class

GREAT BEND, KANSAS
November 6-9, 1986

Hazard Class	Waste Type(s)	No. Cont. Shipped	Total Pounds	Percent (By Wt.)
Flammable Liquid	Paint, Solvents	11	2,006.0	27.2
Flammable Liquid, Poison	Pesticides Solvents	12	1,530.0	20.1
Poison B Liquid	Pesticides, Cleaners	6	828.5	11.2
Corrosive Liquid	Caustic Cleaners, Acids	3	314.5	4.3
Oil	Motor Oils, Etc.	7	2,550.0	34.5
Oxidizer	N/A	2	68.0	1
Corrosive Solid	N/A	1	1.0	.5
Poison-B Solid	Pesticides, Herbicides	1	90.0	1.2
TOTALS		43	7,388.0	100%

TOPEKA, KANSAS
November 10, 1986

Hazard Class	Waste Type(s)	No. Cont. Shipped	Total Pounds	Percent (By Wt.)
Poison-B Liquid	Pesticides, Herbicides	14	1,538.5	64.1
Flammable Liquid	Paint, Solvents	6	697.0	29.1
Oxidizer	N/A	2	136.0	5.7
Corrosive Liquid	Alkaline Cleaners, Acids	3	25.5	1.1
TOTAL		25	2,397.0	100%

WICHITA, Kansas
November 12-19, 1986

Hazard Class	Waste Type(s)	No. Cont. Shipped	Total Pounds	Percent (By Wt.)
Flammable Liquid	Paint, Solvents	98	16,532.5	46.7
Flammable Liquid, Poisonous	Pesticides, Solvents	10	1,275.0	3.6
Poison-B Liquid	Pesticides, Insecticide	29	7,437.5	21.0
Poison-B Solid	Pesticides, Insecticide	19	770.5	2.2
Flammable Solid	N/A	18	1,470.0	4.1
Corrosive Liquid	Alkaline Cleaners, Acids	18	4,819.5	13.6
Corrosive Liquid, Poisonous	N/A	1	170.0	0.5
Corrosive Solid	Alkaline Cleaners, Acids	2	175.0	0.5
Oxidizer	N/A	15	2,393.0	6.8
Polychlorinated-Biphenyls	N/A	1	42.5	0.1
ORM-E	N/A	3	350.0	1.0
TOTAL		214	35,435.5	100%

Table (III) 3: Total Waste Removed by Class:

<u>Hazard Class</u>	<u>Number Containers Shipped</u>	<u>Total Pounds</u>	<u>Percent (By Weight)</u>
Flammable Liquid	115	19,235.5	42.5
Flammable Liq., Poisonous	22	2,805.0	6.2
Flammable Solid	18	1,470.0	3.2
Poison-B Liquid	49	9,804.5	21.7
Poison-B Solid	20	860.5	1.9
Corrosive Liquid	24	5,159.5	11.4
Corrosive Liq., Poisonous	1	170.0	.4
Corrosive Solid	3	176.0	.4
Oil	7	2,550.0	5.6
Oxidizer	19	2,597.0	5.7
ORM-E	3	350.0	.8
Polychlorinated Biphenyls	<u>1</u>	<u>42.5</u>	<u>.1</u>
TOTALS	282	45,220.5	100%

Table (III) 4: Disposal Method:

<u>Disposal Method</u>	<u>Pounds of Waste</u>	<u>Percent of Total</u>
Landfill	34,367.5	76
Incineration	4,205.5	9.3
Encapsulation/Landfill	769.0	1.7
Neutralization/Sub-Surface Injection	1,356.0	3.0
Recycle	<u>4,522.5</u>	<u>10.0</u>
TOTAL	45,220.5	100%

NOTE: Percentages are approximations due to rounding off.

Section IV

PARTICIPANT QUESTIONNAIRE RESULTS

All participants were asked to voluntarily complete a questionnaire in order for KDHE and the cities/counties to better evaluate the effectiveness of the Kansas Household Hazardous Waste Collection Days Project. Virtually all participants responded to questionnaires. While these results accurately reflect the thoughts of participants, they are not necessarily reflective of the Great Bend/Barton County or Wichita/Sedgwick County as a whole. Two general observations about participants should be noted: (1) participation in a project such as this would likely indicate that the participant has a heightened awareness about environmental protection; and (2) a disproportionately large number of participants were senior citizens. It is not known whether the high senior citizen participation rate reflects the fact that seniors have more free time available, have larger accumulations of waste materials, are more intensely targeted by outreach efforts, or whether the elderly simply have a more compelling form of environmental ethics.

The following tables summarize questionnaire responses.

Table (IV) 1: RESPONSE TO PROGRAM IN
GREAT BEND/BARTON COUNTY

<u>Source of Waste</u>	<u>No. Participants</u>	<u>Percent of Total</u>
Household	51	66.2
Small Business	5	6.5
Farm	17	22.1
Government	4	5.2
TOTAL	77	100%

1. Do you think you will have a continuing need for this service?

Yes - 34 (79.1%)

No - 9 (20.9%)

2. Would you support and participate in a city operated curbside collection program for household waste at an interval of perhaps once per quarter?

Yes - 37 (90.2%)

No - 4 (9.8%)

3. Would you be willing to pay a fee for this service?

Yes - 33 (82.5%)

No - 7 (17.5%)

NOTE: Many participants did not complete all areas of the questionnaire.

Table (IV) 2: RESPONSE TO PROGRAM IN
WICHITA/SEDGWICK COUNTY

<u>Source of Waste</u>	<u>No. Participants</u>	<u>Percent of Total</u>
Household	335	77.4
Small Business	42	9.7
Farm	24	5.5
Government	10	2.3
Other	<u>22</u>	<u>5.1</u>
TOTAL	433	100%

1. Do you think you will have a continuing need for this service?

Yes - 306 (82.5%)

No - 65 (17.5%)

2. Would you support and participate in a city operated curbside collection program for household waste at an interval of perhaps once per quarter?

Yes - 303 (84.9%)

No - 54 (15.1%)

3. Would you be willing to pay a fee for this service?

Yes - 287 (82.5%)

No - 61 (17.5%)

NOTE: Many participants did not complete all areas of the questionnaire.

Section V

PROJECT COSTS

While KDHE and the cities/counties incurred some expenses attendant to the Kansas Household Hazardous Waste Collection Days Project---particularly in the areas of staff-time, xeroxing, postage costs, and materials---the preponderance of expenses went for contractor services. EPA cost estimates for collection projects are between \$2-\$8 per pound of hazardous waste collected. The Kansas project cost was at the lower end of that range, at \$2.47 per pound. Following is the final billing submitted by GSX Services, Inc. for their participation in the project, and the project-related costs incurred by the Department of Health and Environment.

GSX CONTRACTOR COSTS
KANSAS HOUSEHOLD HAZARDOUS WASTE COLLECTION DAYS

Wichita/Sedgwick County

Materials	\$ 8,052.00
Labor	15,275.00
Transportation	7,295.00
Disposal	37,102.00
Set Up	<u>3,000.00</u>
Subtotal	\$70,724.00

Great Bend/Barton County

Materials	\$ 1,191.00
Labor	9,200.00
Transportation	1,300.00
Disposal	6,147.00
Set Up	3,000.00
Subtotal	<u>\$20,838.00</u>

Topeka

Materials	\$ 742.50
Labor	1,575.00
Transportation	750.00
Disposal	<u>3,648.50</u>
Subtotal	\$ 6,716.00
Total	\$98,278.00

KDHE COSTS
KANSAS HOUSEHOLD HAZARDOUS WASTE COLLECTION DAYS

Salaries and Wages	\$10,000
Travel	1,200
Postage	1,200
Materials (printing, xeroxing pamphlets)	<u>1,100</u>
Total	\$13,500

Section VI

CONCLUSION

The 1986 Kansas Household Hazardous Waste Collection Days Project was an unqualified success. Through the project, the citizens of Great Bend/Barton County and Wichita/Sedgwick County were given both an opportunity to dispose of household hazardous wastes in an environmentally-sound manner, and a heightened awareness about the need to safeguard precious natural resources was fostered.

More than 500 households participated in the project, with a collection total of 45,220.5 pounds of hazardous materials. These materials---by virtue of the fact that they are flammable, toxic, corrosive or explosive---might otherwise have been disposed of in a manner that threatened health or environmental well-being. The fact that this 45,220.5 lbs represents only a small fraction of the total number of households in Great Bend/Barton County and Wichita/Sedgwick County dramatically demonstrates the problem posed by household stockpiles of hazardous waste materials.

The Kansas Department of Health and Environment and representatives from city and county governments across the state continue to receive calls from well-meaning citizens concerned about the proper use and disposal of hazardous household materials. A comprehensive and ongoing system for collection and safe disposal of these waste materials could ensure that these wastes will be disposed of in an environmentally safe manner.

RM/X2

IS YOUR HOUSE A TOXIC DUMP?

Rangers: Give this chart to your parents! It points out poisons they may have in the house, how to get rid of them, and what to use instead.

POISON	HARMFUL EFFECTS	HOW TO DISPOSE OF THEM*	ALTERNATIVES <small>(more information at bottom of chart)</small>
Paint Remover & Other Solvents	<ul style="list-style-type: none"> • short-term: irritate and damage skin, eyes, lungs; cause nausea, poisoning • long-term: cause allergies, nervous system disorders; damage kidneys and lungs • see 1, 2, 3, 4 in the key below 	see A, B at bottom of chart	no substitutes for most solvents; instead of paint remover: <ul style="list-style-type: none"> • sand off old paint or use heat gun (wear goggles and mask) • use nontoxic alternatives available in sources listed below <i>never</i> use gasoline as a solvent
Furniture & Shoe Polish	<ul style="list-style-type: none"> • see Paint Remover & Other Solvents 	see A, B, E	<ul style="list-style-type: none"> • polishes without trichloroethylene, methylene chloride, or nitrobenzene • nontoxic alternatives: many "recipes" available in sources listed below
Oil-based Paints <small>(including spray paint)</small>	<ul style="list-style-type: none"> • irritate eyes, skin, lungs • cause headaches, nausea • require solvents to clean up tools • see 1, 3, 4 below 	see A, B, C, E	<ul style="list-style-type: none"> • latex paint
Drain, Oven, and Toilet Cleaners	<ul style="list-style-type: none"> • some kinds can burn skin • mixing ammonia and bleach creates deadly gas • see 1, 2, 4 	drain & toilet cleaners: A, D oven cleaners: A, B	<ul style="list-style-type: none"> • prevent clogged drains by pouring boiling water down drain weekly; clear with vinegar, baking soda, boiling water • clean toilets & ovens with baking soda, vinegar, nontoxic alternatives in sources listed below
Window Cleaners, Ammonia Cleaners, Bleach, Powdered Cleansers	<ul style="list-style-type: none"> • some kinds can burn skin • mixing ammonia and bleach creates deadly gas • see also 1, 2, 4 	powdered cleansers, window cleaners: C ammonia cleaners: A, B, D	<ul style="list-style-type: none"> • baking soda instead of powdered cleansers & ammonia cleaners • non-chlorinated powder bleach instead of liquid bleach • vinegar & water instead of window cleaners
Mothballs	<ul style="list-style-type: none"> • poisonous if you inhale too many of the fumes • cause headaches, nausea • see 1, 2, 3, 4 	see A, B, E. <i>Never</i> D	<ul style="list-style-type: none"> • cedar chips • sachets of herbs such as lavender, bay
Pesticides: Herbicides Fungicides Insecticides	<ul style="list-style-type: none"> • can be absorbed through skin and by breathing • cause headaches, nausea, fatigue, tension • see 1, 2, 3, 4 	see A, B, E. <i>Never</i> D. <i>Only</i> A for old, banned, or restricted pesticides	<ul style="list-style-type: none"> • soapy water to kill aphids, mites • garlic spray or citronella to repel many insects • other nontoxic "recipes" in sources listed below
Used Motor Oil & Car Batteries	<ul style="list-style-type: none"> • some poisons in used oil may be absorbed through skin • battery acid can burn skin, eyes • see 1, 2, 3, 4 for oil; 1, 4 for acid 	oil: recycle at gas station or at store; or A. <i>Never</i> C, D. battery (including battery acid): return to where purchased, or A	no alternatives available (wear gloves, goggles when handling)
KEY TO RED LETTERS AND NUMBERS	<ol style="list-style-type: none"> 1 deadly if swallowed 2 may cause cancer 3 flammable 4 cause air/water pollution <p>* Check first with your local health department or waste utility. If no information is available locally, then follow the guidelines for each poison.</p> <p>A Turn in on toxic waste collection day B Use it all up, then dispose of container as in C C Wrap container in lots of newspaper, put in plastic bag, and put out in trash D Dilute leftovers with lots of water, then pour down sink (<i>Do not do this if you have a septic tank.</i>) E Share leftovers with neighbors</p>	FOR MORE INFORMATION On disposal of toxics or on planning a community collection day: <ul style="list-style-type: none"> • Golden Empire Health Planning Center, 2100 21st St., Sacramento, CA 95818 (pamphlets, information packets, and curriculum guides on household toxics & collection days) • League of Women Voters of Massachusetts, 8 Winter St., Boston, MA 02108; 617-357-8380 (video and slide show about organizing collection day) • U.S. Environmental Protection Agency Superfund Hotline: 800-424-9346 (provides information and names of whom to contact in your state) • <i>Toward Hazardless Waste</i>, Sally Toteff & Cheri Zehner; METRO Water Quality, 821 Second Ave., Seattle, WA 98104 (also curriculum guide and other information) 	On nontoxic alternatives: <ul style="list-style-type: none"> • <i>Rodale's Natural Formula Book for Home and Yard</i>, Dan Wallace, editor; Rodale Press, 33 East Minor St., Emmaus, PA 18049 • <i>Nontoxic and Natural</i>, Debra Lynn Dadd; distributed by St. Martin's Press, 175 Fifth Ave., New York, NY 10010; 800-221-7945 • "Household Hazardous Waste Wheel"; Environmental Hazards Management Institute, P.O. Box 283, Portsmouth, NH 03801; 603-436-3950 (a guide to alternatives and disposal methods for household toxics) • Livos Plant Chemistry, 614 Agua Fria, Santa Fe, NM 87501; 505-988-9111 (catalog of nontoxic paints, wood finishes, leather polishes, etc.) <p>Copyright 1988 by Ranger Rick® National Wildlife Federation</p>

DAN HARDEN
Registered Professional Engineer
No. 7412
COUNTY ENGINEER &
DIRECTOR OF PUBLIC WORKS

RILEY COUNTY
PUBLIC WORKS DEPARTMENT
Riley County Office Building
110 Courthouse Plaza (913) 537-6330
MANHATTAN, KANSAS 66502-6018

March 22, 1988

Dear Chairman Werts and Members of the Energy and Natural Resources Committee:

Riley County has more than a passing interest in the proper disposal of household hazardous waste. Riley County is the only Kansas County under Kansas Department of Health and Environment closure order. The order was issued to stop excessive groundwater contamination from synthetic chemicals, which had their beginnings as household hazardous waste. The publicity accompanying the closure heightened the public awareness of the effects of indiscriminate disposal of household hazardous waste. Many responsible Riley Countians called my office to inquire as to what to do with various chemicals. They were advised not to throw it away, but rather to store it until a collection day could be organized.

The Board of County Commissioners directed me to research the cost of a Riley County sponsored household hazardous waste collection and disposal event similar to the events the Kansas Department of Health and Environment sponsored in Great Bend and Wichita. I found the estimated cost of the collection and disposal to be in excess of \$60,000. The cost was high because we would have had to buy down 30 years to 40 years of accumulated inventory of household hazardous waste. The cost is high because the household hazardous waste must be properly handled, shipped and buried at an out of state hazardous waste site. The Board of County Commissioners did not have the money to do the project, so it was not done. It is difficult to fund the buy down of the last 40 years of household hazardous waste inventory. After the initial collection Riley County feels the amount of household hazardous waste will be significantly less and Riley County can afford to dispose of the household hazardous waste on a regular basis at that time. Your support of House Bill 2870 can positively effect the quality of the groundwater resources of the state.

RILEY COUNTY PUBLIC WORK DEPT.

Dan R. Harden, P.E.
Director and County Engineer

RILEY COUNTY
Emergency Medical Service
BILLING ONLY
(913) 537-6333

RILEY COUNTY
Emergency Preparedness
(913) 537-6330

RILEY COUNTY
Landfill
BILLING ONLY
(913) 537-6330

RILEY COUNTY
Planning & Zoning
(913) 537-6332

RILEY COUNTY
Rural Fire
(913) 537-6330

HUNTERS ISLAND
Water District
(913) 537-6333

UNIVERSITY PARK
Water District
(913) 537-6332

ATTACH IV
3-23-88

Kansas Natural Resource Council

Testimony presented before the Senate Energy and Natural Resources
Committee
HB 2870: (Household) Hazardous Waste

March 22, 1988

My name is Charlene A. Stinard, and I represent the Kansas Natural Resource Council, a private, nonprofit organization promoting sustainable natural resource policies. I appear also on behalf of the Kansas Rural Center.

HB 2870 is a significant step toward more responsible use and disposal of potentially dangerous substances. In addition, this bill begins the process of educating the public to the need for an integrated waste management strategy in Kansas.

As you consider this bill, which is limited in intent and scope, we ask that you think about the long-term prospects for managing the enormous quantities of garbage we create.

Land burial of hazardous waste has been banned. Incineration, offered as an alternative, raised serious questions in the House Energy and Natural Resources Committee this session, and aroused passionate opposition in several Kansas communities.

Rational long-term management of our wastes requires a range of responses. HB 2870 is one: community-sponsored collection of small quantities of hazardous materials. But the Legislature will soon face the task of devising other means to regulate the disposal of waste materials.

We suggest that the focus turn to prevention. Effective solutions require:

- reducing the amount of toxic substances we produce and use;
- including recycling and waste reduction in municipal waste management policies;
- creating incentives for commercial recovery of valuable materials; and
- treatment to destroy hazardous characteristics of waste materials.

Once aware of the dimensions of the problem, Kansas citizens will support legislative initiatives like HB 2870. We urge passage of this bill.



SIERRA CLUB

Kansas Chapter

March 22, 1988

Testimony on HB 2870: Hazardous Waste Collection Programs

Senate Committee on Energy and Natural Resources

I am Margaret Post Ahrens, representing the 2000 members of the Kansas Chapter of the Sierra Club. The Sierra Club has had a long-standing involvement in the protection of natural resources. The landfilling of hazardous materials is a threat to those resources, particularly to ground and surface water in Kansas.

Promotion of hazardous waste collection programs that replace the landfilling of those wastes with appropriate handling and disposal is a legislative priority for the Sierra Club in Kansas. We support HB 2870. Here are my specific comments on the bill:

1. The bill assigns responsibility for rules and regulations governing collection programs to KDHE. This is an appropriate function that will guide local governments in the establishment of safe programs.

2. The bill gives the agency the authority to make grants to local units of government for hazardous waste collection programs. But funding would come out of the hazardous waste clean-up fund, already needed for contaminated sites where no responsible party can be found. Further, HB 2870 as amended in the house now allows small businesses to participate, increasing the cost of local collection programs.

We ask that you consider establishing a separate hazardous waste collection fund with a separate appropriation for such purposes. We prefer that clean-up funds, already thin, be not spread more thinly.

This bill is a small incentive program aimed at local education and prevention of contamination problems resulting from household, farm and small business hazardous waste. We urge your support of HB 2870, and ask for your continuing attention to the issues of safe waste management in Kansas.

STATE OF KANSAS



DEPARTMENT OF HEALTH AND ENVIRONMENT

Forbes Field

Topeka, Kansas 66620-0001

Phone (913) 296-1500

Mike Hayden, *Governor*

Stanley C. Grant, Ph.D., *Secretary*

Gary K. Hulett, Ph.D., *Under Secretary*

Testimony Presented to

Senate Energy & Natural Resources Committee

by

The Kansas Department of Health and Environment

House Bill 3009

During the past seven years there has been considerable discussion regarding the structure and location of the mined-land program within state government in Kansas. In fact, the administrative structure of the mined-land program, i.e. Board control and appropriate agency placement for the mined-land program has been the subject of a legislative post audit report, various legislative committee studies, and a variety of legislative bills since its placement within the Corporation Commission. Consistent with the conclusions of the 1982 legislative post audit report, the bill before you today would transfer the Mined-Land Conservation and Reclamation Board's regulatory authority and functions to the Department of Health and Environment, and it would eliminate the Board.

The Mined-Land Conservation and Reclamation Board (MLCRB) was created by the Kansas Legislature in 1968 under the Mined-Land Conservation and Recovery Act. The Board was originally made a part of the Kansas Department of Labor, but was subsequently transferred to the KCC in 1974. In 1977, the National Surface Mining Act was passed and its provisions were more stringent and comprehensive than the state law. Consequently, the Kansas Act was amended in 1978, 1979, and 1981 to allow the MLCRB to administer the federal program in Kansas.

A legislative post audit conducted in 1981 concluded that the state's mined-land regulatory program could be significantly improved by transferring the MLCRB's decision-making authority to staff personnel, but that the technical expertise of staff at that time was lacking. The 1982 audit report recommended that this technical expertise could be strengthened by transferring the MLCRB's regulatory functions to KDHE which possessed related technical expertise. The report further concluded that administrative delegation to staff plus program transfer to KDHE could eliminate the MLCRB entirely, even as an advisory review panel, since KDHE has established review procedures for appeals of staff determinations.

On March 11, 1983, the federal Office of Surface Mining (OSM) initiated an administrative proceeding, a "733 Action", against the MLCRB to revoke state primacy for the mined-land program as a result of alleged program deficiencies adversely affecting implementation of the Kansas regulatory program. The "733 Action" was withdrawn in January 1986 after OSM determined that satisfactory program improvements had been made by the state. In the summer of 1986 the Special Committee on Energy and Natural Resources heard testimony from the mining industry, OSM officials, and the Chairman of the KCC regarding improvements in the mined-land program. The most significant area of program enhancement has been the acquisition of qualified technical staff to evaluate reclamation plans and oversee their implementation. In the last two and a half years six new technical personnel have joined the staff and have provided a substantial infusion of technical expertise into the program. As identified in the post audit report, the affiliation of the mined-land program with KDHE would provide further enhancement due to the related expertise of KDHE staff.

By virtue of its operation of a federally-authorized mined-land program, Kansas receives approximately \$2,000,000 per year from a federal tax on coal produced in Kansas. These funds can only be used to reclaim lands mined prior to passage of the 1977 National Surface Mining Act. Necessary reclamation of lands mined after 1977 must be performed by the operator or by the state using bonds forfeited by the operator.

The proposed amendments to the Mined-Land Conservation and Reclamation Act would:

- 1) abolish the Board and the office of the Executive Director.
- 2) transfer all current officers and employees of the mined-land program to KDHE as classified employees.
- 3) transfer all authority and responsibility for operation of the mined-land program to the Secretary of KDHE.
- 4) provide that KDHE will be the successor to all funds, property, rights, and records related to the mined-land program.

Consistent with the conclusions of the legislative post audit, the size of the Board (14 members) and its bimonthly meeting schedule make it difficult for the Board's staff to function efficiently and for the Board to make statutory findings and orders in the detail required by law and regulation. The program could be made more responsive by eliminating the Board, providing the authority for decision making to the Secretary of KDHE, and allowing the traditional opportunities for review and appeals of those decisions. The department would continue to coordinate mined-land activities with the agencies currently represented on the Board: the Kansas Water Office, the Department of Wildlife and Parks, the Department of Commerce, the Board of Agriculture, the Kansas Geological Survey, and the Conservation Commission. The department would also continue to pursue a positive working relationship with the local landowners and the mine operators.

Clearly, the mission of the mined-land program to regulate coal mining operations to promote the reclamation and conservation of lands and waters of the state is closely related to the missions of KDHE's Division of Environment and would be augmented through a closer working relationship with the Bureau of Waste Management, Bureau of Environmental Remediation, and Bureau of Water Protection. The functions of the mined-land program are very similar to those of current programs within KDHE and the transfer of this program as proposed by KCC seems reasonable and appropriate.

The program transfer can be accomplished with no fiscal impact on the state. As contemplated by the proposed amendments to the Mined-Land Conservation and Reclamation Act, the program would be relocated from KCC to KDHE intact with no changes in authority, responsibility, or staff. We request your support for this bill.

Presented By:

Stanley C. Grant, Ph.D., Secretary
Kansas Department of Health and Environment
March 23, 1988

REMARKS BY JUDITH MCCONNELL
EXECUTIVE DIRECTOR
KANSAS CORPORATION COMMISSION
MARCH 23, 1988
SENATE COMMITTEE ON ENERGY & NATURAL RESOURCES

I am here today on behalf of Chairman Keith Henley to voice strong support for passage of House Bill 3009. In July, 1987, the Corporation Commission filed an issue paper with the Director of the Budget wherein the Commission proposed the transfer of its mined-land program to the Kansas Department of Health and Environment and the subsequent elimination of the Mined-Land Conservation and Reclamation Board. The issue paper addressed two questions: (1) whether the structure of the Mined-Land Conservation and Reclamation Board should be amended/changed, and (2) whether the Kansas Corporation Commission is the appropriate agency for the administration of the Mined-Land Conservation and Reclamation program. I refer you to that issue paper which provides a description of the mined-land program and some historical information, an identification of previous studies conducted in this regard, and a listing of several organizational alternatives to the current structure. The Commission is of the opinion that state regulation could be significantly improved by transferring the Mined-Land Conservation and Reclamation Board's authority to the Kansas Department of Health and Environment and eliminating the Board entirely. The Commission's proposal is incorporated in the provisions of House Bill 3009. The proposal has received gubernatorial support and the endorsement of the Kansas Department of Health and Environment.

I thank you for your attention to this matter. I would be happy to answer any questions you might have.

Attach VIII
3-23-88

RON FOX TESTIMONY
Senate Committee on Energy and Natural Resources
March 23, 1988

As Director of the Mined Land Conservation and Reclamation Board,
I am here today in a unique position:

1. Elimination of the board that hired me
2. Elimination of my position as Executive Director

However, I endorse the provisions of House Bill 3009. I do so
for several reasons:

1. Efficiency in government
2. Expedient regulation function
3. Technical competency of the agency
4. Elimination of duplication